

MASSACHUSETTS FFY2015 THREE YEAR PLAN

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2. PROJECT ABSTRACT

The Massachusetts Executive Office of Public Safety and Security (EOPSS) is applying for FFY2015 Juvenile Justice Formula Grant funds with this submission of the Commonwealth's Three Year Plan. During the past four years, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has found that Massachusetts is not in compliance with the Separation core requirement of the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 2002. The basis for the finding of non-compliance is that there is inadequate sight and sound separation between juvenile and adult detainees in many of the Commonwealth's antiquated court holding facilities. The non-compliance penalty requires that 50% of the Formula Grant award must be spent on resolving the sight and sound separation problem (after subtracting the State Advisory Group allocation and administrative funds from the calculation). At the writing of this Three Year Plan it is not certain whether the Commonwealth will be penalized this fiscal year due to its current non-compliant facilities. Regardless, the highest priority of the Commonwealth's State Advisory Group – named the Juvenile Justice Advisory Committee (JJAC) – and the EOPSS juvenile justice staff will be to ensure the speedy completion of remedies to the non-compliant facilities by continuing work begun four years ago in close collaboration with relevant stakeholders, particularly the Executive Office of the Trial Court (EOTC) and the Division of Capital Asset Management and Maintenance (DCAMM). The population served by remedying the non-compliant court holding facilities is detained court-involved youth. Progress towards resolving the problem is being made at a steady pace with financial and other state-level resources dedicated to the effort.

In addition to remedying the Separation issue with our court holding facilities, the JJAC has identified the following other priorities: reducing disproportionate minority contact; improving the collection and reporting of juvenile justice data; ensuring stakeholders incorporate trauma-informed practices into their initiatives and services; advocating for a juvenile competency statute; and promoting best practices for juvenile diversion programs. At-risk youth and juvenile justice system-involved youth across the Commonwealth will benefit from activities relating to the above priorities. Due to the non-compliance penalty, and low funding levels in general, it is unlikely that there will be funds available to sub-grant to relevant programs. Instead, the projects implemented will consist of activities such as convening stakeholders to collaborate with each other on potential system improvements and effective practices, advocating and raising awareness on specific issues such as a juvenile competency statute, and other “no cost” activities. JJAC member expertise and professional connections will be leveraged to optimize such activities.

Most of the day to day work regarding the priorities will be carried out by EOPSS staff. Formula Grant funds cover the costs of 2.5 staff members, including the Juvenile Justice Specialist/DMC Reduction Specialist, the Compliance Monitor and the Juvenile Justice Program Coordinator. Progress on the JJAC priorities will be measured based on the objectives and timetables referenced in subsequent sections of this Three Year Plan.

3. PROGRAM NARRATIVE

A. STATEMENT OF THE PROBLEM

1. System Description: Structure and Function of the Juvenile Justice System

The major components of the Massachusetts juvenile justice system consist of the following stakeholders: the statewide Juvenile Court Department of the Trial Court, the Department of Youth Services (DYS), the Office of the Commissioner of Probation, the Youth Advocacy Division (YAD) of the Committee for Public Counsel Services (CPCS) (public defenders), the county-based District Attorneys' Offices, and local and state police. Other stakeholders who are not directly part of the major functioning of the juvenile system but are directly or indirectly involved with at-risk and system-involved youth and/or issues that confront them include: the Department of Children and Families (DCF), the Executive Office of Health and Human Services (EOHHS), the Juvenile Justice Advisory Committee (JJAC), the Office of the Child Advocate (OCA), the Department of Elementary and Secondary Education (DESE) and local schools, Citizens for Juvenile Justice (CfJJ), the Parent/Professional Advocacy League (PPAL) and numerous, child-serving non-profit entities across the Commonwealth and state lawmakers.

The juvenile court system in Massachusetts is a statewide system managed within the Executive Office of the Trial Court (EOTC). There are approximately 40 juvenile judges across the Commonwealth and one to four juvenile courts and/or juvenile sessions in district courts in most counties. Three types of juvenile justice cases are heard within the juvenile court system: Child Requiring Assistance (CRA) cases (status offenses), delinquency cases, and youthful offender cases. Status offenders in the Commonwealth benefit from the progressive CRA law which prohibits their secure detention and is intended to ensure assistance and support that is developmentally-appropriate and shields them from criminal stigmatization. There is no "validated court order" exception to the Deinstitutionalization of Status Offenders core requirement of the JJDP Act in Massachusetts. A youth between the ages of seven and eighteen may be prosecuted in the juvenile court system for criminal-type offenses after referral to the court via an arrest (followed by issuance of a complaint) or a summons after a complaint has been issued. Delinquency cases constitute the majority of criminal-type cases in the juvenile court system. Prosecution of juveniles as youthful offenders is left to the discretion of the District Attorneys' Offices when certain conditions relating to the seriousness of the charges and/or prior history of the offender are met.

There are a number of potential dispositions for a criminal-type juvenile case. Some non-serious, first-time offenders may have their cases diverted prior to arraignment at the discretion of the police or prosecutors. Depending primarily on the seriousness of the offense and the prior offense history of the defendant, a delinquent offender may receive dispositions ranging between a "continuance without a finding," "delinquent probation," "DYS suspended sentence" or a "commitment to DHS until age 18." Unless an adjudicated delinquent offender is committed to DHS, the juvenile is placed under supervision of a juvenile probation officer with conditions such as: no new arrests, attend school daily, obey home rules, drug testing, and curfew. Violation of probation conditions results in a probation violation hearing and, if a violation is found,

potentially a more serious sanction among those listed above such as commitment to DYS. A juvenile who is adjudicated as a youthful offender receives one of the following sanctions: commitment to DYS until age 21, commitment to DYS until age 21 with an adult suspended sentence, or any sentence allowable for an adult convicted of the same offense. Youthful offenders found to have violated their probation may be re-sentenced to any of the preceding youthful offender sanctions. Adult court has original jurisdiction over juveniles between the ages of fourteen to eighteen who are charged with murder.

DYS is responsible for detaining pre-trial youth who cannot post bail or who are “held without bail” as well as for confining and supervising committed youth. Detention facilities range from foster homes to staff secure residential facilities to hardware secure facilities. There is a continuum of care for committed youth. Committed youth generally spend time in a staff secure or/or hardware secure residential facility. The amount of time spent in confinement is generally based on the seriousness of their current offense and past offense history as well as behavior while in confinement. After confinement, committed youth return to their homes and receive community-based supervision until they reach the age of 18 (or 21 for youthful offenders). If they fail to follow DYS conditions while residing in the community their “grant of conditional liberty” may be revoked and they may be returned to confinement.

An example of one of the non-profit entities that works with at-risk and system-involved youth is the United Teen Equality Center (UTEC). UTEC, like other important non-profit entities, has received juvenile justice funding from EOPSS and the JJAC in the past. UTEC uses a comprehensive positive youth development approach to working with the most at-risk and system-involved youth in the cities of Lowell and Lawrence. Programming consists of: street outreach and gang peacemaking, transitional coaching, workforce development, education services and civic engagement education and activities. UTEC collaborates with local businesses as well as juvenile justice stakeholders such as judges and DYS. UTEC is committed to working with youth even if they have dropped out or “failed” their programming on previous occasions. UTEC realizes that patience and multiple efforts may be required when working with the most troubled youth.

Initiatives are underway in Massachusetts that are designed to enhance collaboration between juvenile justice stakeholders. These initiatives are informed by a positive youth development approach to working with youth and a desire for stakeholders to develop a common vision and set of goals that can improve outcomes for at-risk and system-involved youth. For example, the Child Welfare and Juvenile Justice Leadership Forum – consisting of top leadership from key stakeholder agencies and institutions – was recently formed with the above aim and values in mind in order to improve the juvenile justice system and the lives of the youth it touches. Currently, it is focusing its efforts primarily on the issue of racial and ethnic disparities in the juvenile justice system. This and other initiatives are discussed further in following sections of this Three Year Plan.

2. Youth Crime Analysis and Needs and Problem Statements

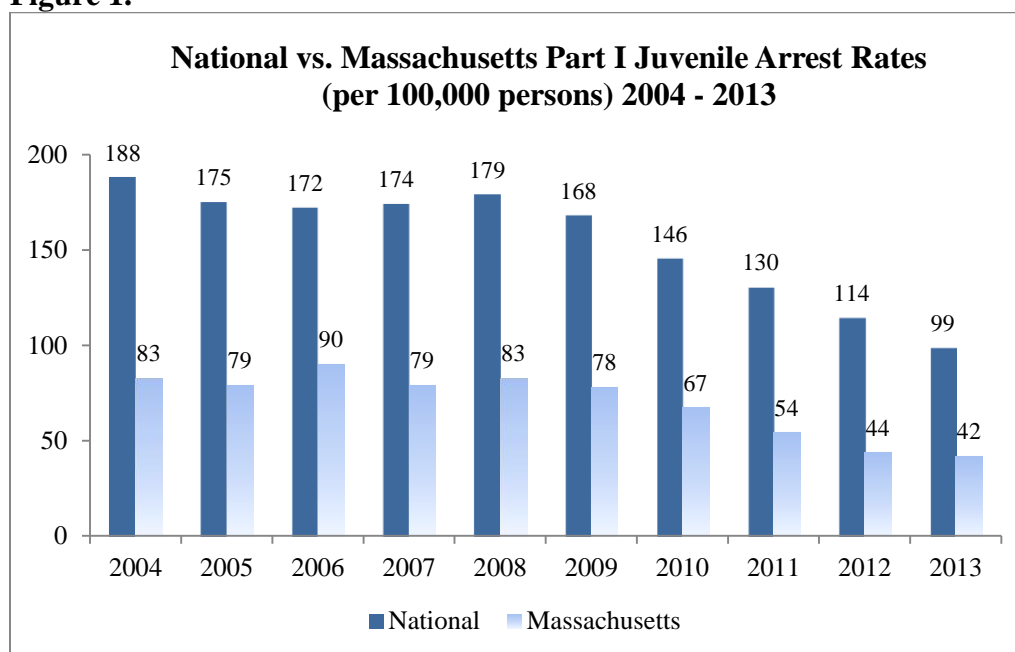
a. Analysis of Youth Crime Problems

There are five parts to the analysis of juvenile crime problems: (1) arrests; (2) referrals to juvenile court; (3) cases handled formally; (4) referrals to detention; and (5) other conditions relevant to delinquency prevention programming.

(1) Juvenile arrests by offense type

The eight offenses that comprise Part I Crimes or Index Crimes – criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson – are the most serious offenses against persons and property tracked by the Federal Bureau of Investigation (FBI) (*Uniform Crime Reporting Handbook*, 7). For the past ten years, Massachusetts has almost consistently had Part I juvenile arrest rates¹ that were half that of the national rate² (with the exception of calendar year 2006), while more recently, rates across the nation and within the Commonwealth have been steadily declining since 2008. In the past five years, the national rate of juvenile arrests for Part I crimes fell 45%, while the rate within Massachusetts during the same timeframe dropped 49% (Figure 1).

Figure 1.



Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

¹ Juveniles are defined as individuals under the age of 18. All rates are calculated per 100,000 persons in the total population; population figures include both juveniles and adults within a given locale (Massachusetts and the United States, respectively).

² FBI figures include only those agencies that voluntarily report their crime data on an annual basis.

A more in-depth analysis of the breakdown of the various Part I juvenile offense arrests at both the statewide and national level over a ten-year period is presented in Table 1. The figures represent the rate per 100,000 persons, rather than the number of juvenile arrests for the period 2004 to 2013. Between 2004 and 2013 there has been a dramatic reduction in crime rates as displayed in Table 1.

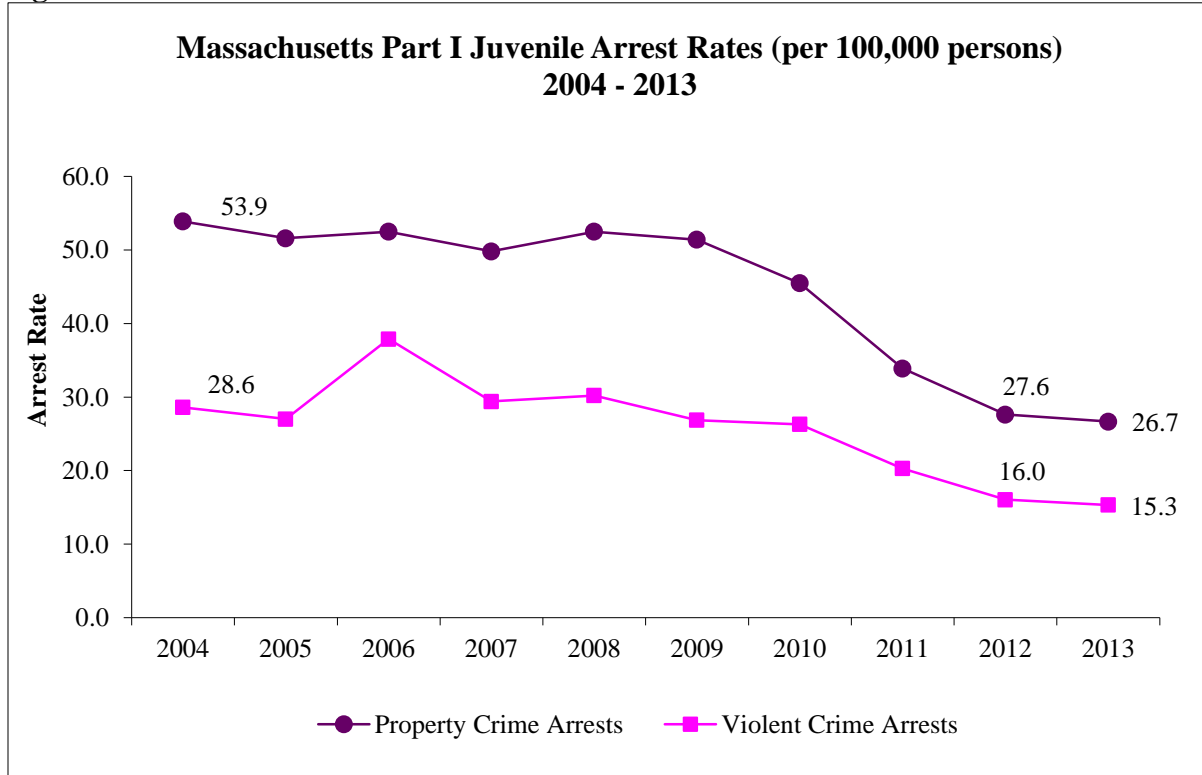
Table 1. Rate (per 100,000 persons)

Part I Offenses	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	% change '04-'13	% change '12-'13
MA Property Crime Arrests	53.9	51.6	52.5	49.8	52.5	51.4	45.5	33.9	27.6	26.7	-50%	-3%
US Property Crime Arrests	156.4	142.8	137.8	141.6	147.2	139.4	120.9	108.5	95.0	80.8	-48%	-15%
MA Burglary	12.1	13.0	13.4	12.2	11.7	10.6	10.0	7.7	6.6	6.2	-49%	-6%
US Burglary	27.9	26.4	28.2	27.4	27.9	24.8	21.4	19.9	17.3	14.1	-49%	-18%
MA Larceny	35.7	33.8	35.1	33.1	38.0	38.5	32.3	24.2	19.1	18.9	-47%	-1%
US Larceny	112.5	101.0	95.2	101.9	108.9	106.3	93.0	82.5	72.1	61.6	-45%	-15%
MA Motor Vehicle Theft	4.8	3.9	3.1	3.2	2.0	1.7	2.1	1.5	1.1	1.0	-79%	-9%
US Motor Vehicle Theft	13.3	12.7	11.7	9.9	8.3	6.6	5.1	4.5	4.2	3.9	-71%	-7%
MA Arson	1.3	1.0	0.9	1.3	0.8	0.6	1.2	0.5	0.8	0.6	-54%	-25%
US Arson	2.7	2.7	2.7	2.4	2.2	1.8	1.5	1.6	1.4	1.2	-56%	-14%
MA Violent Crime Arrests	28.6	27.0	37.9	29.4	30.2	26.9	26.3	20.3	16.0	15.3	-47%	-4%
US Violent Crime Arrests	31.5	32.4	34.1	32.6	32.0	28.4	24.6	21.9	19.4	17.8	-43%	-8%
MA Homicide	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.0	0.0	-100%	0%
US Homicide	0.5	0.4	0.4	0.4	0.4	0.4	0.3	0.3	0.2	0.2	-60%	0%
MA Rape	0.5	0.6	0.7	0.4	0.5	0.4	0.6	0.5	0.2	0.3	-40%	50%
US Rape	1.4	1.3	1.2	1.2	1.1	1.0	0.9	0.9	0.8	0.9	-36%	13%
MA Robbery	3.9	4.7	10.2	7.7	8.1	7.3	5.3	4.8	3.6	3.7	-5%	3%
US Robbery	8.8	9.9	12.0	11.7	11.9	10.5	8.8	7.7	6.8	6.5	-26%	-4%
MA Aggravated Assault	24.1	21.5	27.0	21.2	21.5	19.0	20.3	14.9	12.2	11.4	-53%	-7%
US Aggravated Assault	20.7	20.7	20.5	19.3	18.6	16.5	14.6	13.1	11.6	10.2	-51%	-12%
MA Total Part I Arrests	82.5	78.6	90.4	79.2	82.7	78.3	71.8	54.2	43.7	42.0	-49%	-4%
US Total Part I Arrests	187.9	175.2	171.9	174.1	179.3	167.7	145.5	130.4	114.5	98.6	-48%	-14%

Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 41 (National data) and Table 69 (MA data). The US Census Bureau's *State and County QuickFacts – Massachusetts* – was utilized to identify the statewide population.

Upon further examination of these arrest trends for juveniles arrested for crimes against persons and property, the patterns have a similar trajectory over time. Property crime dropped 50% between 2004 and 2013 and 3% in the period from 2012 to 2013, and violent crime fell 47% over the course of the ten-year period and 4% from 2012 to 2013 (Figure 2, below).

Figure 2.



Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69.

In addition to Part I Offenses, the FBI also tracks data on Part II Offenses, which cover all crimes not otherwise noted in Part I. Those crime classifications include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy and all other offenses. Part II Crimes also include suspicion and curfew/loitering law violations, which are status offenses (*Uniform Crime Reporting Handbook*, 8).

A more in-depth analysis of the breakdown of the various Part II juvenile offense arrests at both the statewide and national levels over the ten-year period is presented in Table 2 on the following page. The figures represent the rate per 100,000 persons, rather than the number of juvenile arrests for the period 2004 to 2013.

Rate (per 100,000 persons)

Table 2.

												% change '04-'13	% change '12-'13
Part II Offenses	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013			
Other Assaults	40.1	35.4	37.6	36.2	38.7	37.9	39.0	34.1	31.4	28.0		-30%	-11%
Forgery & Counterfeiting	0.8	0.4	0.4	0.4	0.3	0.2	0.2	0.2	0.1	0.2		-75%	100%
Fraud	0.5	0.5	0.9	0.7	0.7	0.8	0.5	0.4	0.4	0.4		-20%	0%
Embezzlement	0.0	0.1	0.1	0.1	0.1	0.0	0.1	0.1	0.0	0.0		0%	0%
Buying/Possessing Stolen Prop.	5.7	4.0	5.4	4.3	3.4	3.7	3.8	2.8	2.7	2.4		-58%	-11%
Vandalism	16.6	15.5	19.0	14.4	13.9	12.3	12.3	9.1	9.1	6.9		-58%	-24%
Weapons Carrying/Possessing	4.2	3.9	4.8	4.4	4.1	3.6	3.6	3.0	2.5	2.4		-43%	-4%
Prostitution	0.3	0.2	0.3	0.1	0.1	0.1	0.1	0.0	0.1	0.0		-100%	-100%
Sex Offenses	1.8	1.6	1.2	1.5	1.3	1.3	1.5	0.8	1.0	0.8		-56%	-20%
Drug Abuse Violations	37.6	36.2	40.5	36.1	32.5	10.3	10.8	7.6	7.6	5.7		-85%	-25%
Gambling	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0%	0%
Offenses Against Family and Children	1.7	2.4	1.7	2.8	1.6	2.2	2.7	2.3	1.9	0.9		-47%	-53%
Driving Under the Influence	2.6	2.8	2.6	2.2	1.6	1.3	1.3	1.0	1.1	0.8		-69%	-27%
Liquor Laws	17.8	15.4	19.2	15.5	11.9	14.0	15.9	11.3	12.3	9.5		-47%	-23%
Drunkenness	5.3	5.0	5.4	5.0	3.1	4.2	3.8	2.6	2.3	3.0		-43%	30%
Disorderly Conduct	19.5	23.1	25.5	22.6	21.2	19.6	18.0	14.5	11.8	10.6		-46%	-10%
Vagrancy	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0%	0%
All Other Offenses	67.8	69.1	65.0	54.9	54.4	50.1	52.9	39.7	37.7	25.8		-62%	-32%
Suspicion	0.7	0.6	0.5	0.3	0.0	0.0	0.1	0.0	0.1	0.1		-86%	0%
Curfew and Loitering Law Violations	0.3	0.3	0.3	0.1	0.2	0.2	0.1	0.1	0.0	0.0		-100%	0%
Runaways*	9.0	6.0	5.7	4.4	4.5	3.8	N/A	N/A	N/A	N/A		N/A	N/A
Total Part II Juvenile Arrest Rates	232.3	222.6	236.1	206.2	193.9	165.6	166.7	129.6	122.1	97.6		-58%	-20%

Source: Federal Bureau of Investigation, *Uniform Crime Reports*, Table 69. The US Census Bureau's *State and County QuickFacts Massachusetts* – was utilized to identify the statewide population.

*Please note that Runaways were last reported in the 2009 UCR.

The total rate of juvenile arrests for Part II Crimes fell 20% in the one-year period from 2012 to 2013, and 58% over the ten-year period from 2004 to 2013, demonstrating a long-term pattern similar to the decrease seen in Part I Crimes over the same timeframe. The six most prevalent Part II Crimes in 2012 in descending order – other assaults (28.0) all other offenses (25.8), disorderly conduct (10.6), liquor laws (9.5), vandalism (6.9), and drug abuse violations (5.7) – represent 87% of the total crimes from this group of offenses (Table 2).

(2) Juvenile Court delinquency, youthful offender and status offenses (by offense type and gender).

This section describes youth with three kinds of cases heard before the Juvenile Court: Delinquency, Youthful Offender and Child Requiring Assistance (CRA).

In Massachusetts, juvenile delinquents are defined as individuals who are adjudicated delinquent as a result of violating a state law, city ordinance, or town by-law while they were at least seven

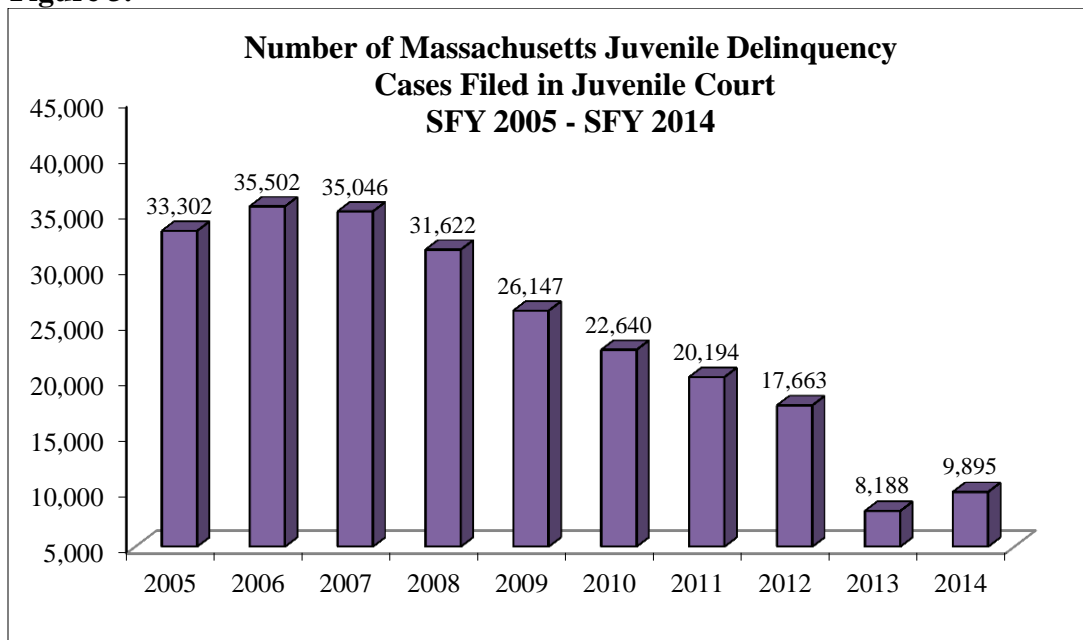
years of age but not yet age 18 (MGL, Chapter 119, §52). The oldest age for juvenile court jurisdiction for a delinquency complaint, charge or matter in Massachusetts was changed from 16 to 17 by the legislature in September 2013. The recent increase in delinquency and youthful offender cases heard in juvenile court is mostly attributable to the raised age of juvenile court jurisdiction as opposed to a substantial increase in crime.

Delinquency

Delinquency cases are almost exclusively heard before the Juvenile Court but under the *Court Reorganization Act of 1992*, the Brookline and Gloucester District Courts were permitted to retain jurisdiction over juvenile cases (MGL, Chapter 218, §57).

In SFY 2014, there were 9,895 juvenile delinquency cases, marking a 72% decrease from the high in SFY 2006, but a 21% increase from the prior year (Figure 3). During SFY 2014, males represented 76% and females represented 24%.³ When the race/ethnicity of the individuals appearing before the juvenile court was examined, White youth accounted for 44% of the population, followed by Hispanic youth (29%), Black/African American youth (25%), and Other (2%).⁴

Figure 3.



Source: Executive Office of the Trial Court.

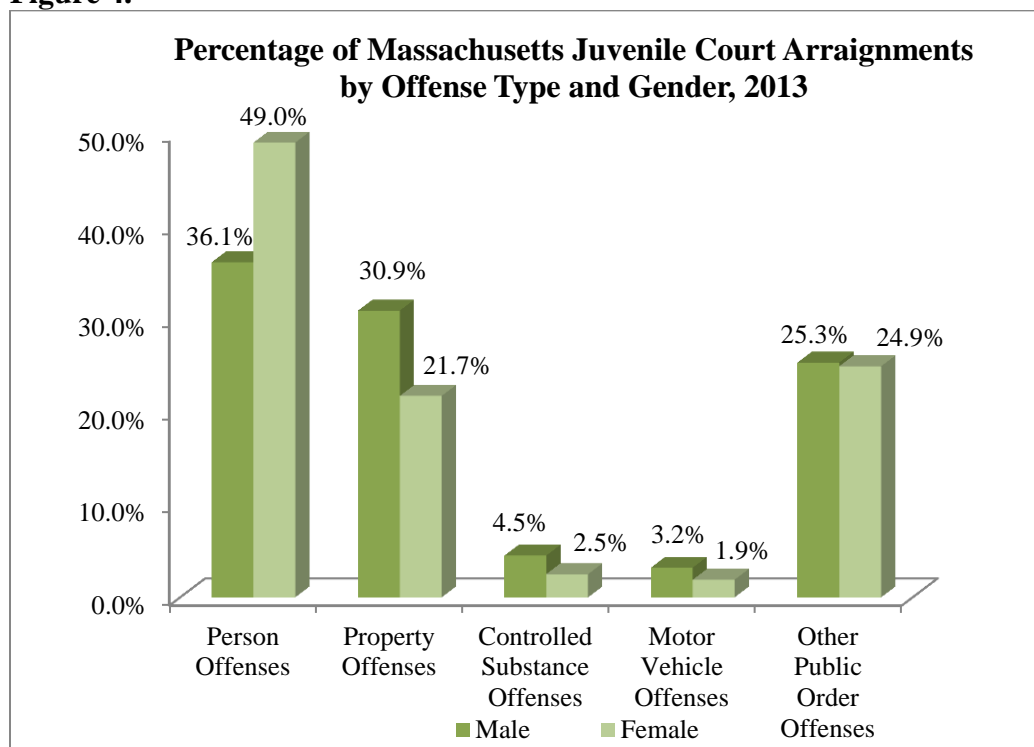
*Please note that data on the total number of delinquency cases before the Juvenile Court in SFY 2012 in both Essex County and Norfolk County is unavailable and was therefore excluded from this analysis.

³ The gender of youth appearing before the Juvenile Court in delinquency cases was known in 9,796 of the 9,895 cases (99%).

⁴ The race/ethnicity of youth appearing before the Juvenile Court in delinquency cases was known in 9,796 of the 9,895 cases (84%).

The most common offenses resulting in the appearance of youth before the Juvenile Court for arraignments in calendar year 2012⁵ were person offenses (41.5%), followed by property offenses (33.4%), other public order offenses (19.3%), controlled substance offenses (4.1%), and motor vehicle offenses (1.6%). These figures are calculated based on the total number of occurrences (15,159) of each type of crime, rather than the total number of individuals charged with each offense (9,845).

Figure 4.



Source: Office of the Commissioner of Probation.

Person offenses were the most common across gender lines, although the percentage share for males and females varied greatly (36.1% and 49.0%, respectively) (Figure 4). Property offenses were the next most common among males (30.9%), followed by other public order offenses (25.3%), controlled substance offenses (4.5%), and motor vehicle offense (3.2%). Other public order offenses were the second most frequently occurring crime for females (24.9%), followed by property offense (21.7%), controlled substance offenses (2.5%), and motor vehicle offense (1.9%). A breakdown of the complete list of offenses heard by the Juvenile Court in SFY 2012 follows on the subsequent page of this Application.

⁵ 2013 data is not yet available.

Table 3. Statewide Juvenile Court Offenses – SFY 2012

Offense Type	Total Number of Individuals per Offense	Percentage of Individuals per Offense
Murder/Manslaughter	11	0.11%
Assaults	2,539	25.79%
Rape/Sex Assault	230	2.34%
Robbery	290	2.95%
Threat/Intimidation	523	5.31%
Violation of CRO/HPO	35	0.36%
Other Violent Offenses	139	1.41%
Larceny/Fraud	921	9.36%
Burglary/B&E	526	5.34%
Destruction of Property	812	8.25%
Rec/Poss Stolen Property	374	3.80%
Forgery/Uttering	16	0.16%
Arson/Burn	50	0.51%
Trespass	343	3.48%
Other Property Offense	90	0.91%
CSA Class A	27	0.27%
CSA Class B	67	0.68%
CSA Class C	17	0.17%
CSA Class D	177	1.80%
CSA Class E	44	0.45%
Conspiracy Viol CS Law	38	0.39%
CSA School/Park/Plygd	133	1.35%
Other CS Offense	52	0.53%
Driving Under Influence	23	0.23%
Other Major Motor Vehicle	165	1.68%
Disturbing/Disorderly	1,072	10.89%
Firearm Offense	123	1.25%
Prostitution	4	0.04%
Liquor Law Violation	230	2.34%
Other Public Order Offense	774	7.86%
Totals	9,845	100.00%

Source: Office of the Commissioner of Probation.

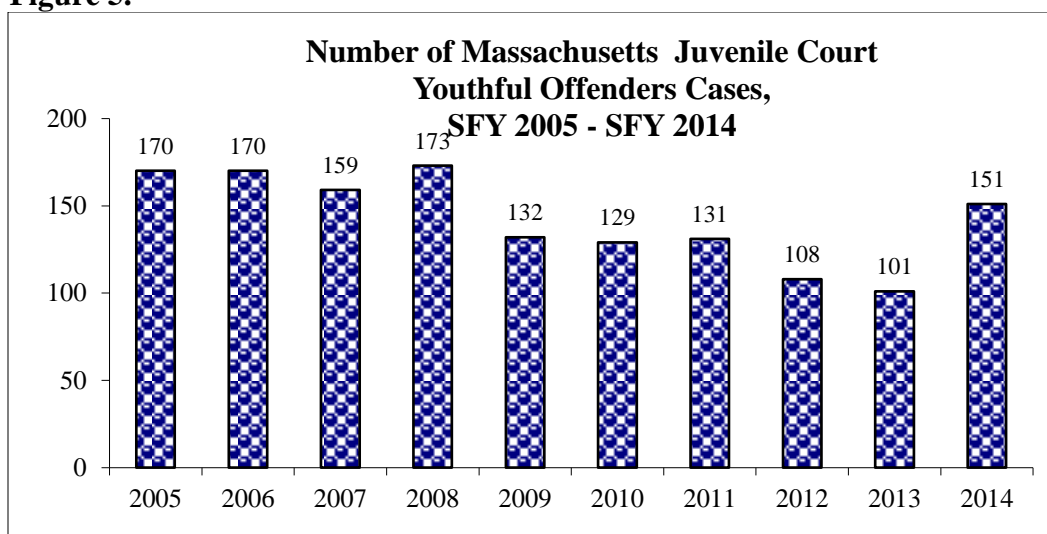
Youthful Offenders

A youthful offender is a person who has been indicted and is subject to an adult and/or juvenile sentence for having committed an offense while between the ages of 14 and 18 which, if he/she were an adult, would be punishable by imprisonment in the state prison [i.e. felonies] and:

- Has previously been committed to the Department of Youth Services (DYS); or
- Has committed an offense which involves the infliction or threat of serious bodily harm in violation of law; or
- Has committed a violation of [MGL, Chapter 269, §10(a)(c), (d), MGL, Chapter 269, §10E (firearm offenses)] (MGL, Chapter 119, §58).

In SFY 2014, there were 151 youthful offender cases heard before the juvenile court involving young people between ages 14 and 18 (Figure 5). During the previous five years the number of youthful offender cases had stabilized or declined. However, due to the raised age of juvenile court jurisdiction, the number of cases in SFY 2014 represents an increase of 50% from the preceding year. And not unlike the other offense categories previously discussed in this analysis of juvenile crime problems, males accounted for the overwhelming majority of individuals in cases seen before the juvenile court (95%). The racial/ethnic composition of the individuals appearing before the juvenile court was overrepresented by minority youth. Black/African American youth and Hispanic youth each represented 36% of offenders, followed by White youth (21%), and Other (1.3%).⁶

Figure 5.



Source: Executive Office of the Trial Court, 2015.

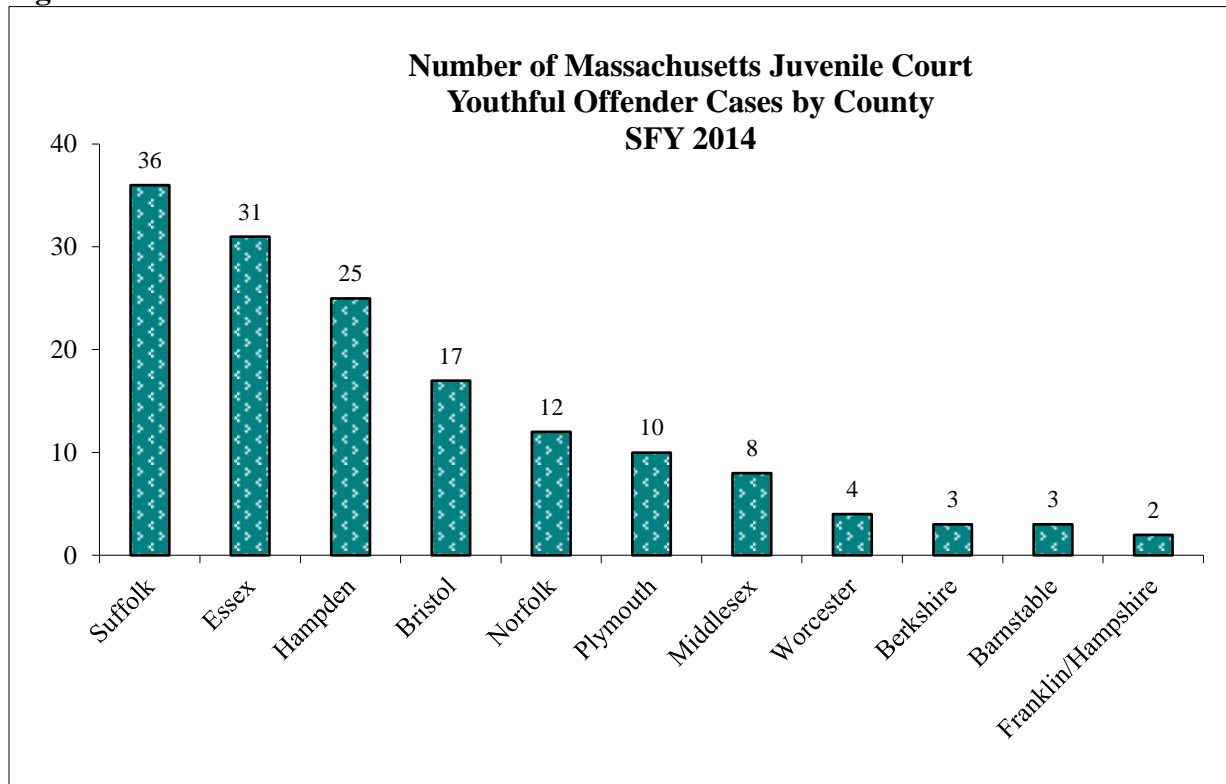
*Please note that SFY 2012 data for Essex County Juvenile Court on the total number of youthful offender cases is unavailable and was therefore excluded from this analysis.

In SFY 2014, Suffolk, Essex and Hampden Counties together accounted for over half of the youthful offender population in the Commonwealth (61%), and the top five counties in descending order – Suffolk, Essex, Hampden, Bristol, and Norfolk – indicted more than three quarters (80%) of all the youthful offenders in the Commonwealth (Figure 6, below). These five counties contain six of the ten most populous municipalities across the state, which may be one of the many variables likely contributing to these findings.⁷ Another variable may be differences between counties in the exercise of prosecutorial discretion to indict juveniles as youthful offenders.

⁶ The race/ethnicity of youth appearing before the Juvenile Court in youthful offender cases was known in 142 of the 151 cases (94%).

⁷ Population data for 2010 was obtained from the U.S. Census Bureau. The ten most populous cities within the top five counties are: Bristol County (New Bedford and Fall River), Suffolk County (Boston), Hampden County (Springfield), Norfolk County (Quincy), and Essex County (Lynn).

Figure 6.



Source: Executive Office of the Trial Court.

*Please note that Barnstable County includes Dukes and Nantucket Counties.

Child Requiring Assistance (CRA)

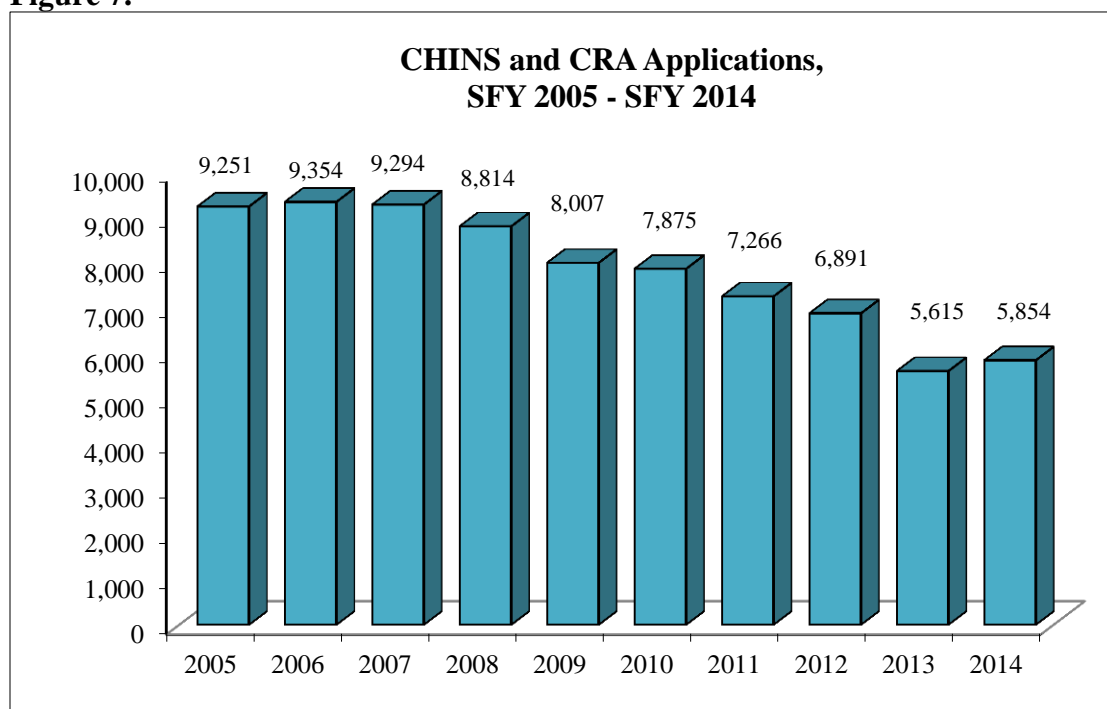
In November 2012, Chapter 240 of the Acts and Resolves of 2012 amended the language in Massachusetts General Laws Chapter 119, §21 to replace the phrase Child in Need of Services (CHINS) with the term Child Requiring Assistance (CRA). A Child Requiring Assistance (CRA) is defined as a child between the ages of 6 and 18 who meets at least one of the following five criteria: (i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian or custodian, thereby interfering with their ability to adequately care for and protect the child; (iii) repeatedly fails to obey the lawful and reasonable regulations of the child's school; (iv) is habitually truant; or (v) is a sexually exploited child (MGL, Chapter 119, §21).

CRA applications are filed in order to initiate the process of providing services to minors. In SFY 2014, a total of 5,854 CRA applications were issued exclusively through the juvenile court. The number of applications for children needing assistance had been steadily declining since SFY 2006 and had fallen to the lowest level in 2013, a 40% drop from the peak in 2006.⁸ This decline was reversed in 2014 due to CRA applications increasing 4% from the previous year. Of the CRA applications before the juvenile court in SFY 2014, more than half were for males

⁸ Please note that SFY 2012 data for Essex County Juvenile Court and Norfolk County Juvenile Court on the total number of CHINS petitions issued is unavailable and was therefore excluded from this analysis.

(54%),⁹ and one-third were White youth (35%), followed by Hispanic youth (25%), then Black/African American youth (16%), and Other (2%).¹⁰ Figure 7 displays the ten-year trends of CHINS and CRA cases before the juvenile courts.

Figure 7.



Source: Executive Office of the Trial Court, 2015

(3) Formal Juvenile Court cases (by gender, race and type of disposition).

This section describes youth whose cases were handled formally, through both risk/need probation supervision and commitment to the Department of Youth Services (DYS).

Probation

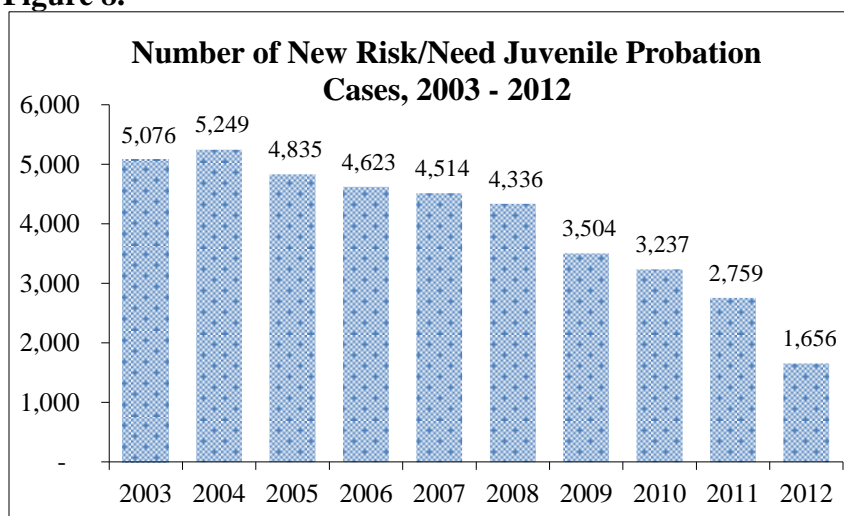
Risk/need probation applies to all felony, misdemeanor and delinquency cases where supervision is ordered by the Juvenile Court, with the exception of cases related to driving under the influence or where administrative supervision is ordered. Risk/need probation is exercised in those cases where supervision may benefit the juvenile while also mitigating the risk the individual may pose to the community; this determination is made by an assessment and classification process.

The number of new risk/need probation cases decreased 40% in the one-year period between calendar year 2011 (2,759) and 2012 (1,656) and dropped 67% over the ten-year period from 2003 (5,076) to 2012 (Figure 8, below).

⁹ The gender of youth appearing before the Juvenile Court in CRA cases was known in 5,647 of the 5,854 cases (96%).

¹⁰ The race/ethnicity of youth appearing before the Juvenile Court in CHINS and CRA cases was known in 4,528 of the 5,854 cases (77%).

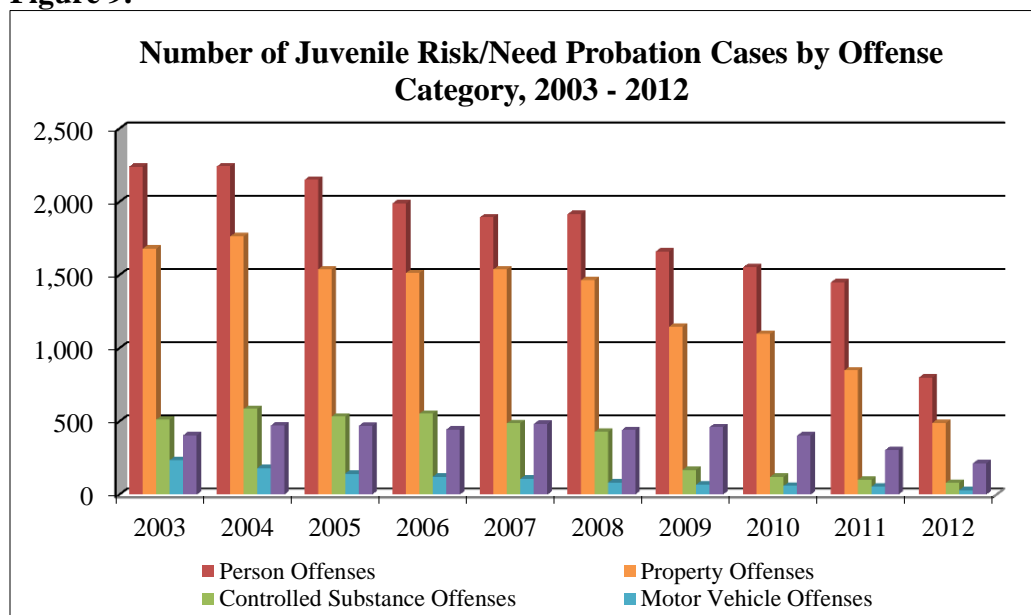
Figure 8.



Source: Office of the Commissioner of Probation.

In 2012, nearly half of the offenses (49.6%) committed by juveniles resulting in a risk/need probation placement were person offenses, followed by property offenses (30.3%), other public order offenses (13.2%), controlled substance offenses (5.0%), and motor vehicle offenses (1.9%). When examining the offense categories over the ten-year period from 2003 to 2012, person offenses and other public order offenses have increased (12.3% and 65.2%, respectively) while property offenses, controlled substance offenses and motor vehicle offenses have declined (8.3%, 50.9%, and 58.6%, respectively). The rank order of these offense groups has remained stable over time, with person offenses accounting for the largest share of juvenile risk/need probation placements, followed by property offenses, controlled substance offenses, other public order offenses, and motor vehicle offenses, until 2008, when controlled substance offense placements declined in favor of other public order offenses (Figure 9).

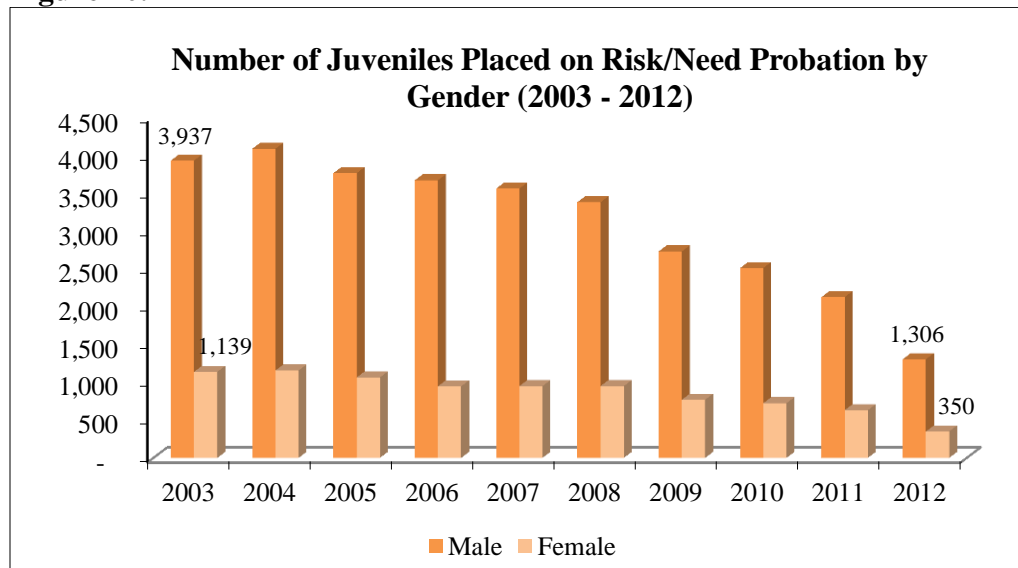
Figure 9.



Source: Office of the Commissioner of Probation.

For the past ten years, despite an overall downward trend in the total number of juveniles on risk/need probation, males have consistently represented more than three-quarters of all such youth (Figure 10). Calendar year 2004 marked the peak for the number of males and females on risk/need probation (4,092 and 1,157, respectively), while 2012 figures were the lowest in a decade (1,306 and 350, respectively). This information is displayed on the following page.

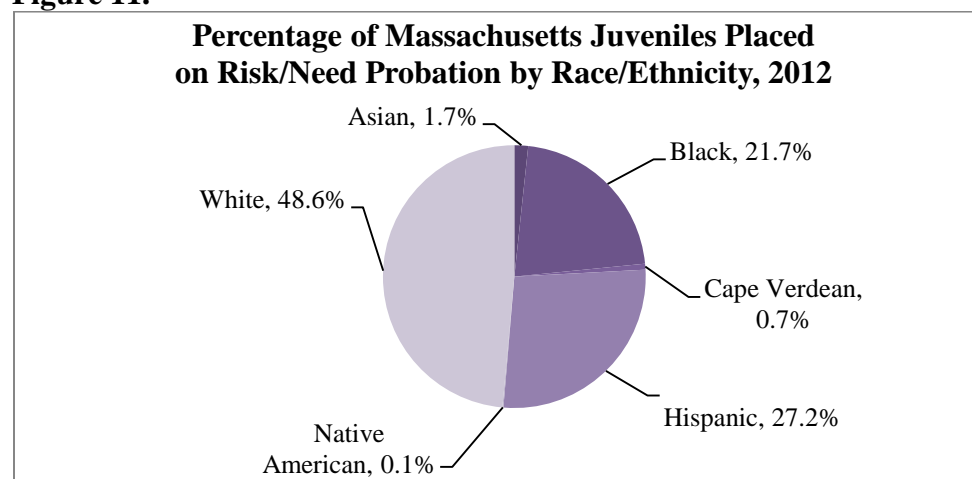
Figure 10.



Source: Office of the Commissioner of Probation.

While males were overrepresented in risk/need probation placements in 2012, white youth made up nearly as many of the juveniles as all of the minority youth combined (48.6% and 51.4%, respectively), although minorities make up less than one quarter of the state's population (Figure 11).¹¹

Figure 11.

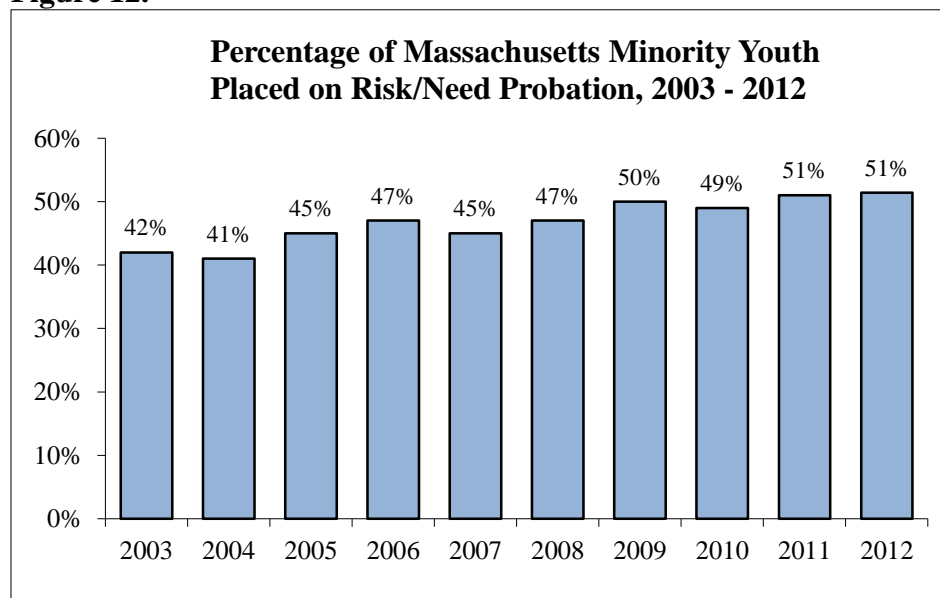


Source: Office of the Commissioner of Probation.

¹¹ 2012 Census figures for Massachusetts indicate that white persons comprise 83.7% of the total population within the Commonwealth.

The percentage of minority youth placed on risk/need probation, as a percentage of the total risk/need population, has fluctuated over the past ten years, resulting in a 25% increase from a baseline of 41% in 2004 to a peak of 51% in calendar years 2011 and 2012 (Figure 12).

Figure 12.



Source: Office of the Commissioner of Probation.

In calendar year 2011, the Office of the Commissioner of Probation (OCP) began tracking two new racial/ethnic categories – Cape Verdean and Native American – that were previously captured in the catchall Other category. At the same time, the Other category was phased out altogether, resulting in the following six racial/ethnic classifications: Asian, Black, Cape Verdean, Hispanic, Native American, and White. In calendar year 2012, OCP reported that non-white, or minority youth, represent slightly more than half (51.4%) of all the juveniles on risk/need probation.¹² Trends cannot be established at this point in time as 2012 marks the first full year that these new racial/ethnic categories as were reported.

COMMITMENT TO THE DEPARTMENT OF YOUTH SERVICES (DYS)

The Department of Youth Services was established as a separate state agency under the Executive Office of Health and Human Services in 1969. Reform efforts ultimately resulted in closing training schools in the early 1970's, leading to the deinstitutionalization of status offenders (i.e. runaways, truants, and stubborn children).¹³

When youth are “committed to DYS” it means that they have been adjudicated as a delinquent child on a complaint or as a youthful offender on an indictment, and, because of that adjudication, they will be in the legal custody of DYS until either age 18, 19 or 21. If a juvenile

¹² The term “Non-white” refers to individuals classified within one of the following five racial/ethnic groups: Asian, Black, Cape Verdean, Hispanic, or Native American.

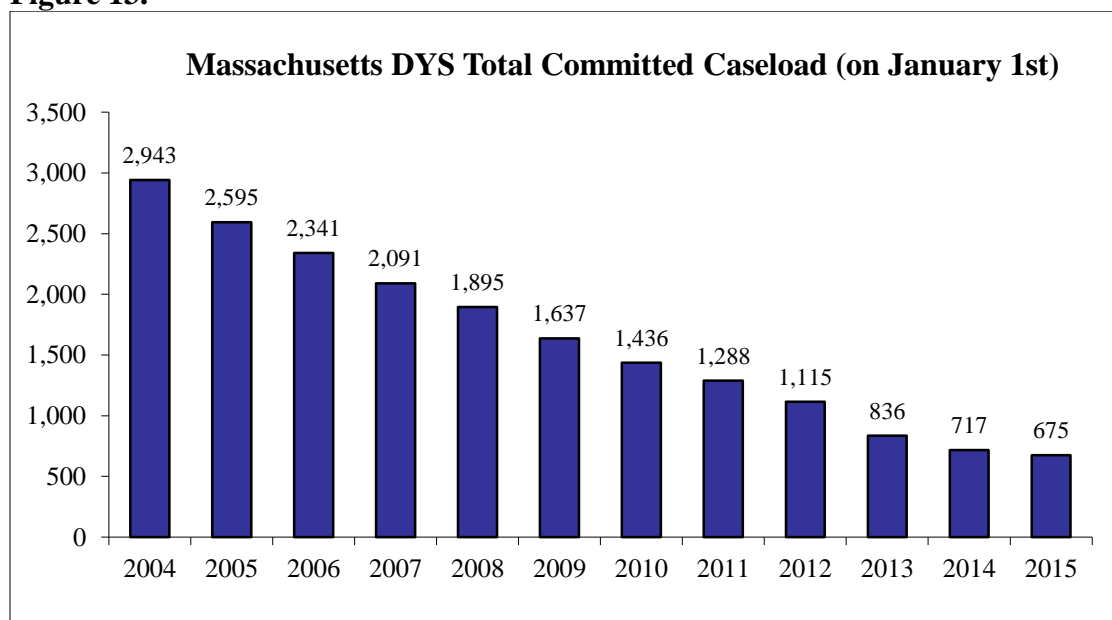
¹³ Department of Youth Services, *History of Youth Services*, Online, Available: <http://www.mass.gov/eohhs/gov/newsroom/dys/history/>

is charged as a delinquent, he or she will usually be committed until age 18. In the situation of a child whose case is disposed of after he or she has attained his or her 18th birthday, he or she will be committed until age 19. If charged as a youthful offender, he or she could be committed until age 21.¹⁴ “Committed to DYS” does not necessarily mean in the physical custody of DYS and living in a DYS facility. The continuum of care for a juvenile who is committed to DYS is: Assessment, Residential Phase, Hardware/Secure Treatment, Staff Secure Treatment, Community Supervision, and Discharge (Massachusetts Department of Youth Services, 2012).

In 2009, DYS implemented the Community Service Network model, a progression of the community supervision model utilized successfully by the department for the past decade. A significant change with the new model is a return to a case management team format to deliver services to DYS youth in a specific geographic area or district rather than within a day reporting center.¹⁵

In 2015, there were 675 youth in the total DYS committed population,¹⁶ 401 of which were new DYS commitments. The number of individuals in the total DYS population on January 1, 2015 represents a decrease of 77% since its high of 2,943 in January 2004 (Figure 13).

Figure 13.



Source: Massachusetts Department of Youth Services, 2015.

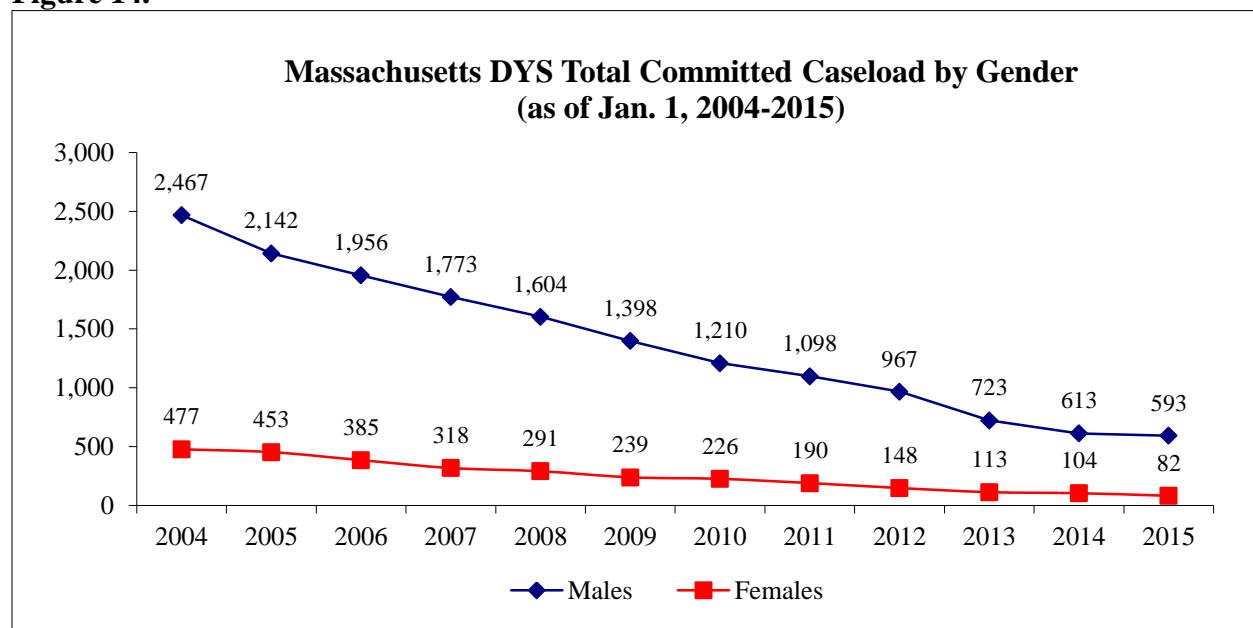
The majority of the juveniles in the DYS committed population on January 1, 2015 were male (88%). However, the number of males in the DYS committed population on January 1, 2015 was 76% lower than at its high in January 2004. The number of females in the DYS committed population on January 1, 2015 was 83% lower than at its peak in January 2004 (Figure 14, below).

¹⁴ Massachusetts General Law, Chapter 119, Section 58.

¹⁵ Massachusetts Department of Youth Services 2009 Annual Report, March 2011.

¹⁶ This is a point-in-time count on January 1, 2015.

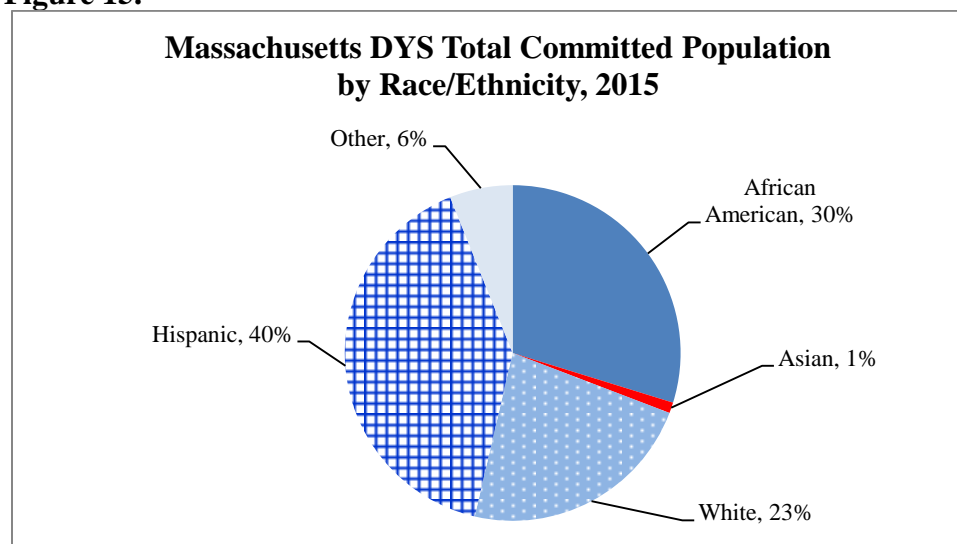
Figure 14.



Source: Massachusetts Department of Youth Services, 2015.

Minority youth were overrepresented in the DYS committed population in 2015 (Figure 15). Compared to the total population of Massachusetts minority youth in 2013 (32%),¹⁷ 77% of DYS committed youth in 2015 were minority (30% black, 40% Hispanic, 1% Asian, and 6% of some other race/ethnicity).¹⁸

Figure 15.



Source: Massachusetts Department of Youth Services, 2015.

¹⁷ Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

¹⁸ Includes only DYS committed youth ages 13-17.

On January 1, 2015, the DYS committed population included individuals between the ages of 13 and 20. The majority was between the ages of 15 and 17 (79%) (Table 4).

Table 4. DYS Total Committed Population by Age

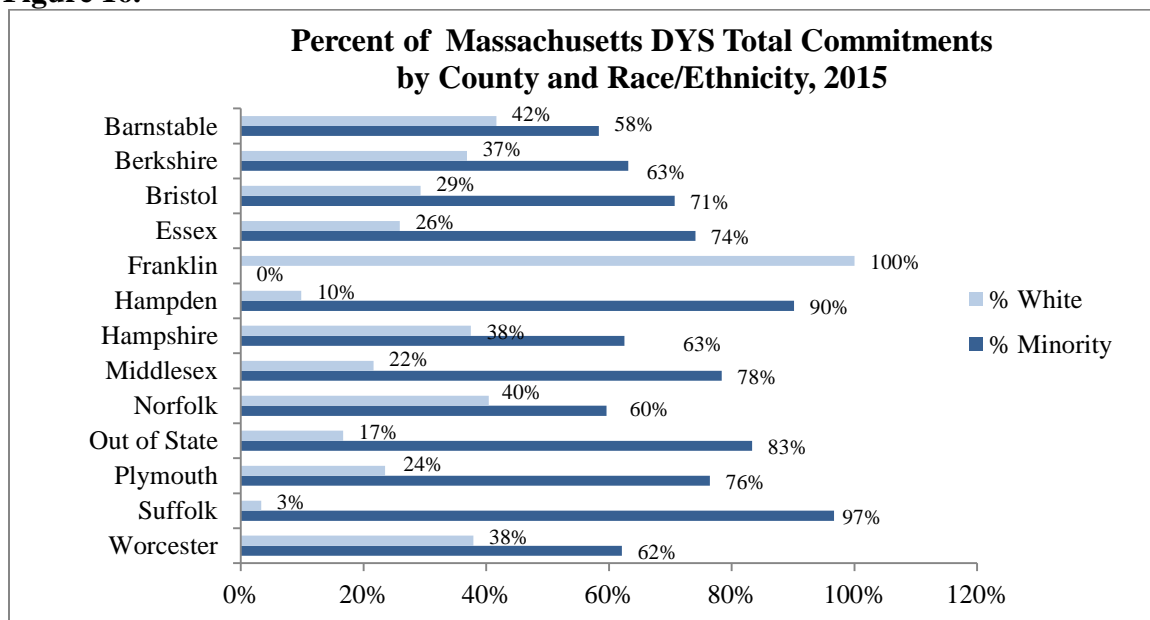
Age	Total #	Total %
Age 13	2	0.3%
Age 14	16	2.4%
Age 15	72	10.7%
Age 16	143	21.2%
Age 17	278	41.2%
Age 18	90	13.3%
Age 19	36	5.3%
Age 20	38	5.6%
Total	675	100%

Source: Massachusetts Department of Youth Services, 2015.

Note: this is the age at the time of commitment.

The majority of the DYS committed population from Suffolk County consists of 97% of minority youth (n=117), yet they represent 70% of that county's population.¹⁹ Similarly, of the youth from Hampden County committed to DYS, 90% are minority (n=119); however, they comprise just 49% of the county population. It is important to note that the City of Boston, which is the most populous in the state, is in Suffolk County and Springfield, the third most populous city is in Hampden County (Figure 16).

Figure 16.

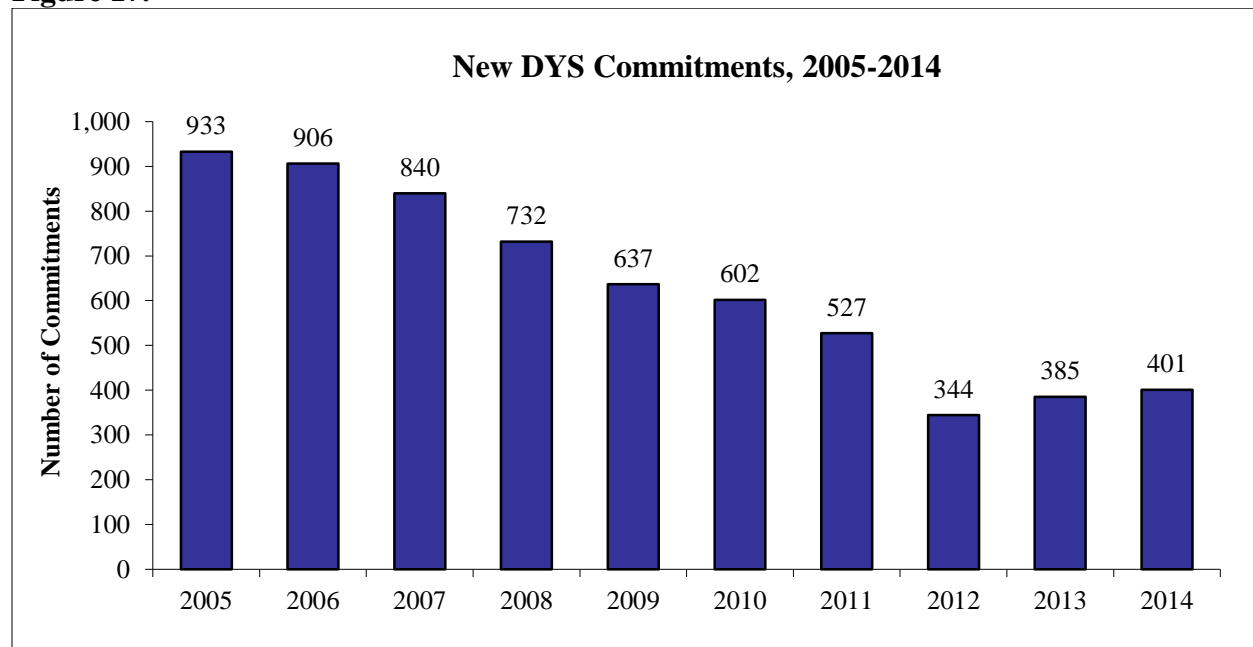


Source: Massachusetts Department of Youth Services, 2015.

¹⁹ Puzzanchera, C., Finnegan, T. and Kang, W. (2014). "Easy Access to Juvenile Populations: 1990-2013" Online. Available: <http://ojjdp.gov/ojstatbb/ezapop>

Although the number of new DYS commitments in 2014 increased 4% (n=401) from the previous year, this still represents a decrease of 57% from a high of 933 in 2005 (Figure 17).

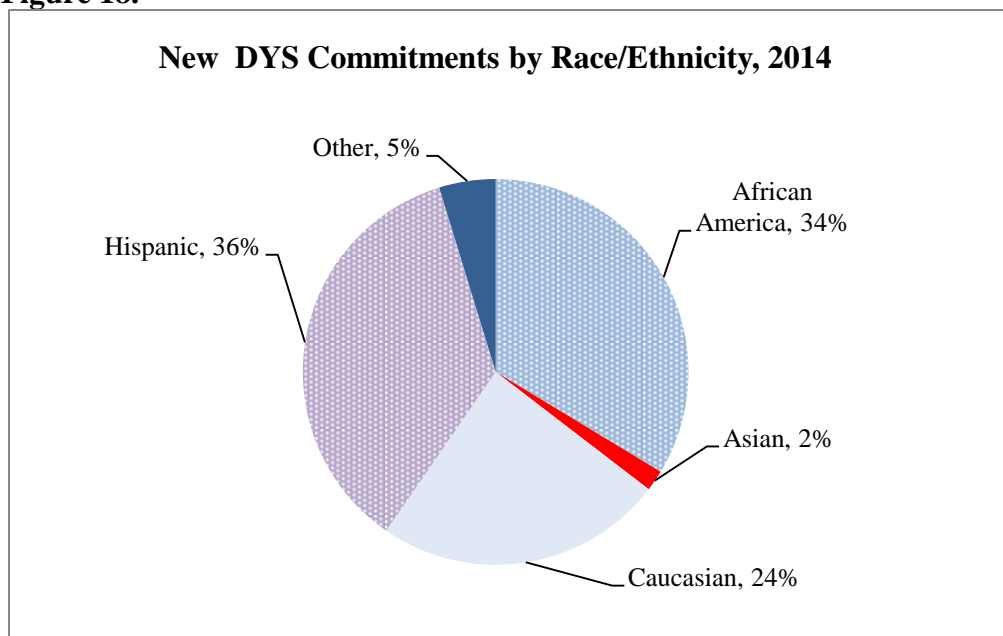
Figure 17.



Source: Massachusetts Department of Youth Services, 2015.

In 2014, 77% of new commitments to DYS were minority youth (Figure 18).

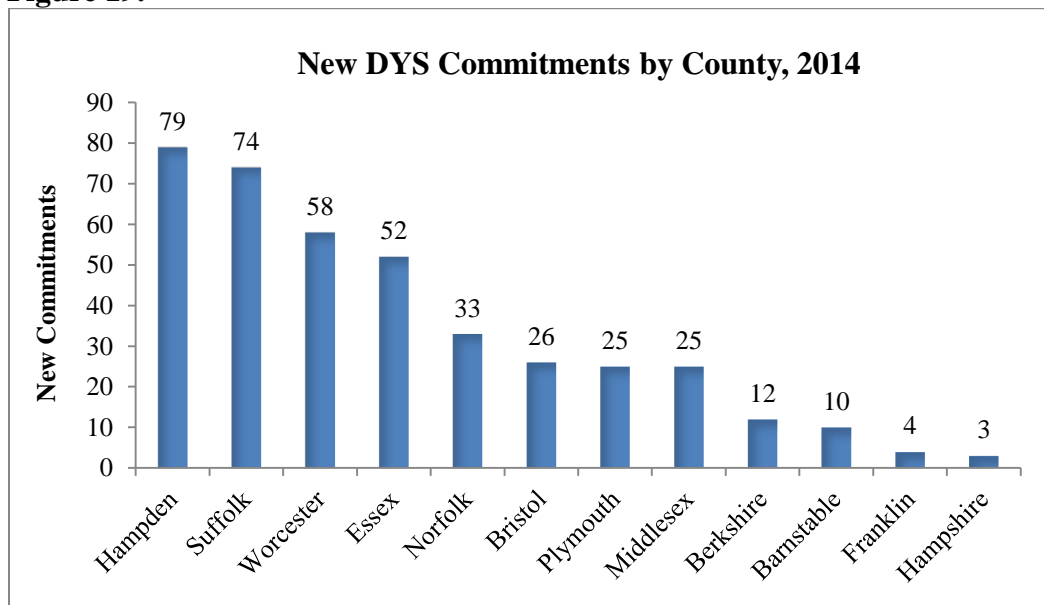
Figure 18.



Source: Massachusetts Department of Youth Services, 2015.

In 2014, 66% of the new DYS commitments were from Hampden, Suffolk, Worcester, and Essex counties (Figure 19).

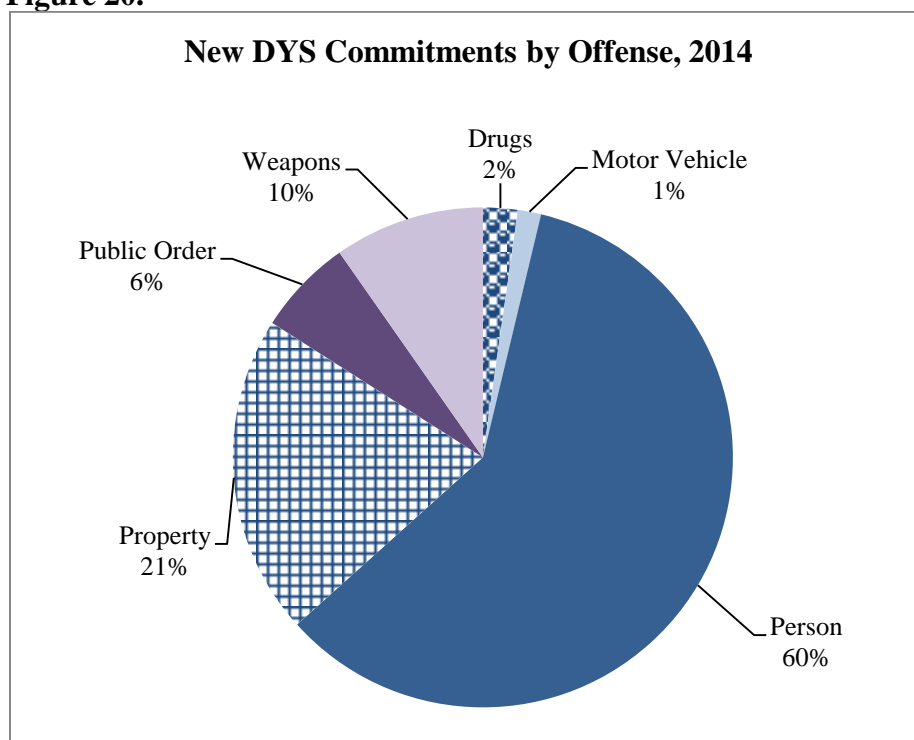
Figure 19.



Source: Massachusetts Department of Youth Services, 2015.

In 2014, 60% of newly committed youth were in DYS for person-related offenses, followed by 21% for property-related offenses (Figure 20).

Figure 20.



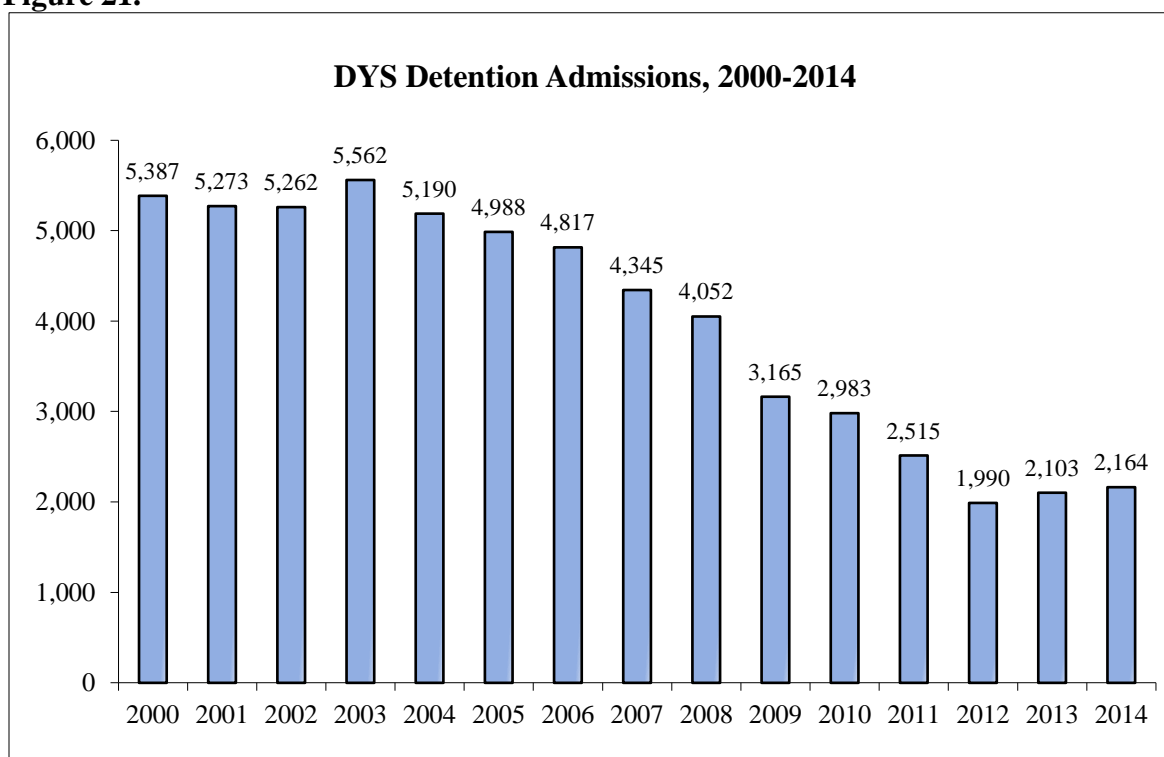
Source: Massachusetts Department of Youth Services, 2015.

Secure Detention

Ideally, detention should be used for youth who are unlikely to appear in court if released or they have committed a certain serious offense and present a danger to others and the community. Despite the Commonwealth's efforts to minimize the use of detention through the Juvenile Detention Alternative Initiative (JDAI), many low-level offenders, who are often Hispanic and African-American, are placed in detention. Secure detention does more harm than good for those youth who are held on minor or nonviolent offenses. Detention further impedes a youth's healthy development, educational progress, and is likely to result in increased criminal activity.

According to DYS, in 2014 there were 2,164 juveniles sent to pre-trial detention.²⁰ The number of pre-trial detention admissions in 2014 was 61% lower than the high of 5,562 in 2003 but rose 3% from the previous year (Figure 21). The average daily number of youth held in pre-trial detention decreased from a high of 303 in 2003 to 130 in 2013, but increased to 179 in 2014.

Figure 21.

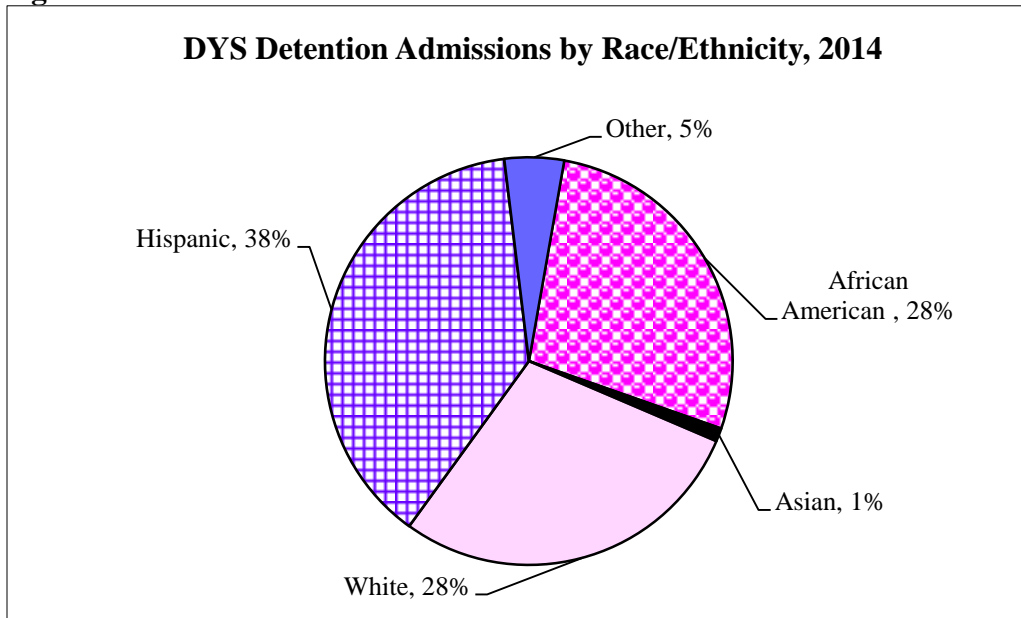


Source: Massachusetts Department of Youth Services, 2015.

Similar to the DYS committed population minority youth were also overrepresented in the 2014 DYS detainee population. Minority youth made up 72% of all DYS detentions, broken down as follows: 38% Hispanic youth, 28% African American youth, 1% Asian youth, and 5% youth of some other race/ethnicity (Figure 22, below).

²⁰ Not including juveniles previously committed to DYS custody.

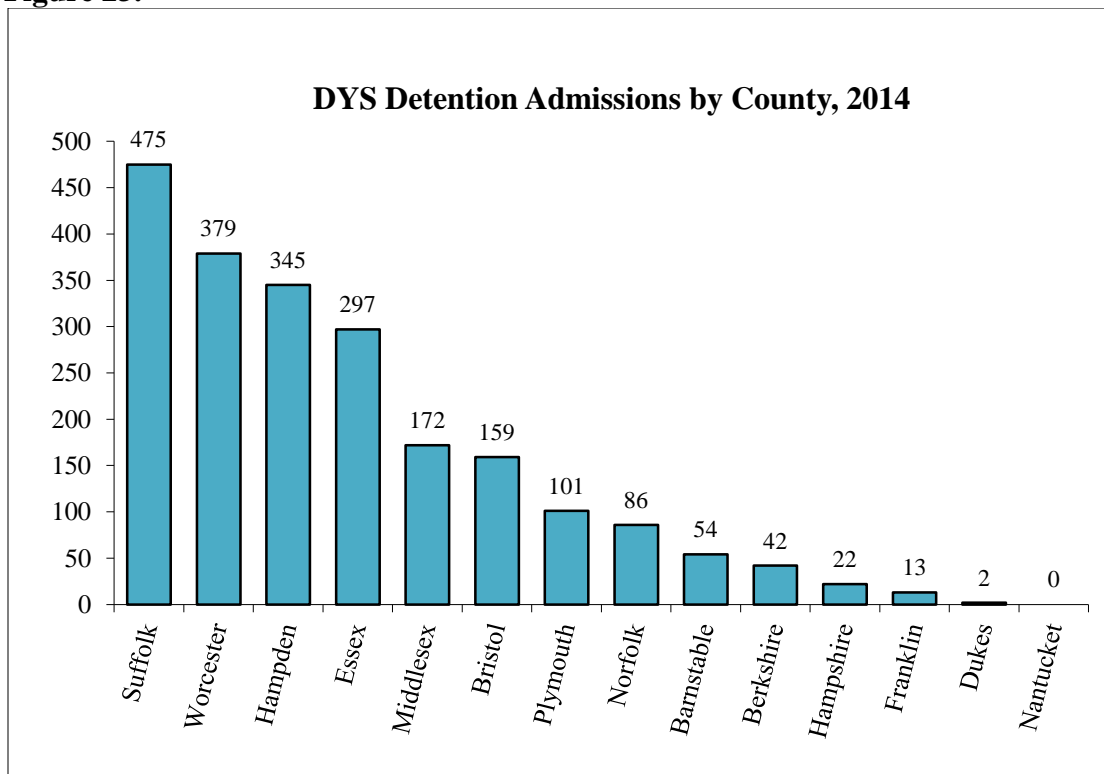
Figure 22.



Source: Massachusetts Department of Youth Services, 2015.

Suffolk County and Worcester County had the largest number of detentions in 2014; 475 and 379, respectively. Nantucket County did not have any youth detained in DYS custody in 2014 (Figure 23).

Figure 23.

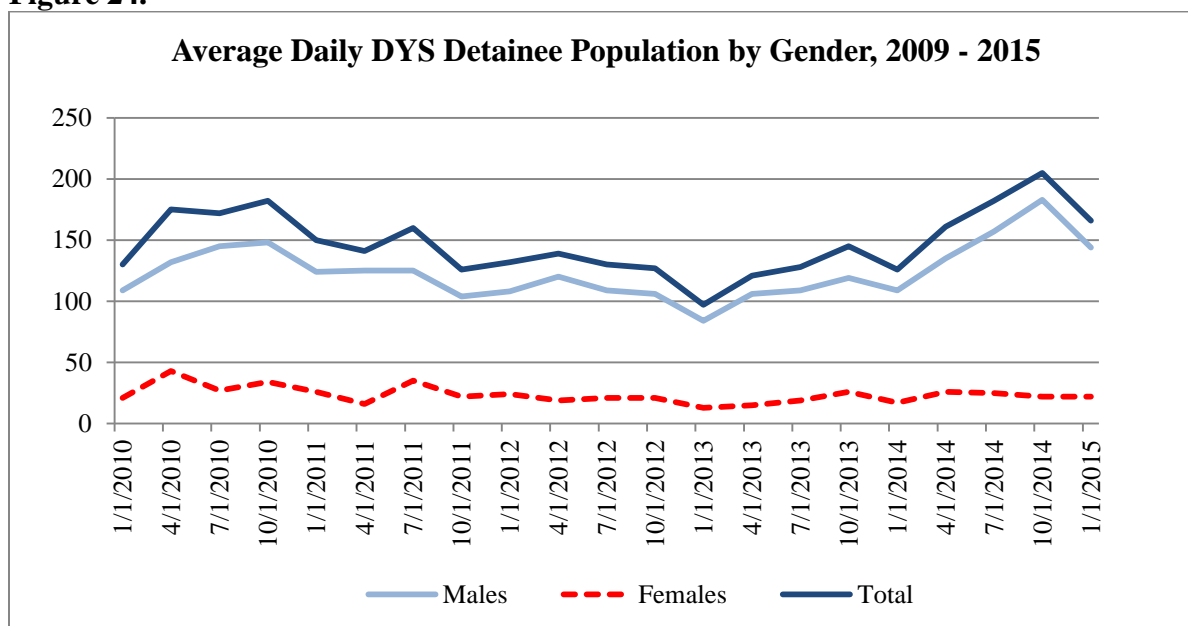


Source: Massachusetts Department of Youth Services, 2015.

Note: Chart does not include 17 out-of-state detentions.

On an average day in 2014 there were 155 males and 24 females held in secure pre-trial detention across Massachusetts.²¹ Males continue to be overrepresented in detention placements representing 87% of the average daily secure detention placements in 2014 (Figure 24).

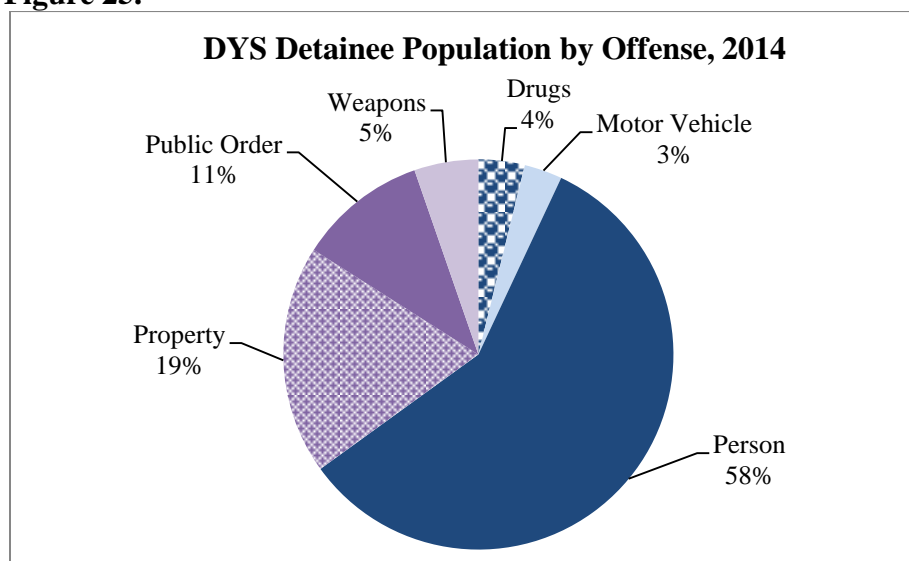
Figure 24.



Source: Massachusetts Department of Youth Services, 2015.

Over half (58%) of the DYS pretrial detention population in 2014 were held for person-related offenses (Figure 25).

Figure 25.



Source: Massachusetts Department of Youth Services, 2015

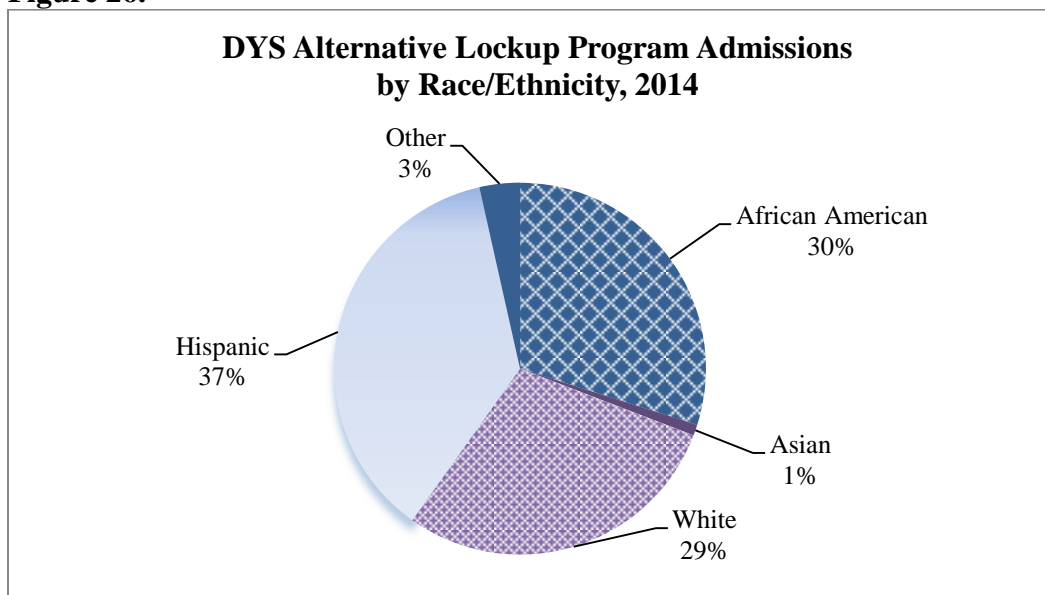
²¹ One-day counts from May 7, 2015.

Alternative Lockup Program

The Alternative Lockup Program (ALP) is designed to relieve police departments of the burden of caring for alleged juvenile delinquents (children under 18 years of age) during non-court hours, thereby ensuring that no juvenile will be detained in a police lockup for longer than the federally mandated six-hour time limit.

Hispanic youth had the highest number of admissions (37%) to the ALP followed by African American youth (30%) (Figure 26).

Figure 26.



Source: Massachusetts Department of Youth Services, 2015.

The majority of youth admitted to the ALP in 2014 were between 14 and 17 years of age (94%). Youth 17 years of age were the largest group admitted to the ALP, and this may be attributed to 2013 legislation that increased the age of juvenile court jurisdiction from 16 to 17 (Table 5).

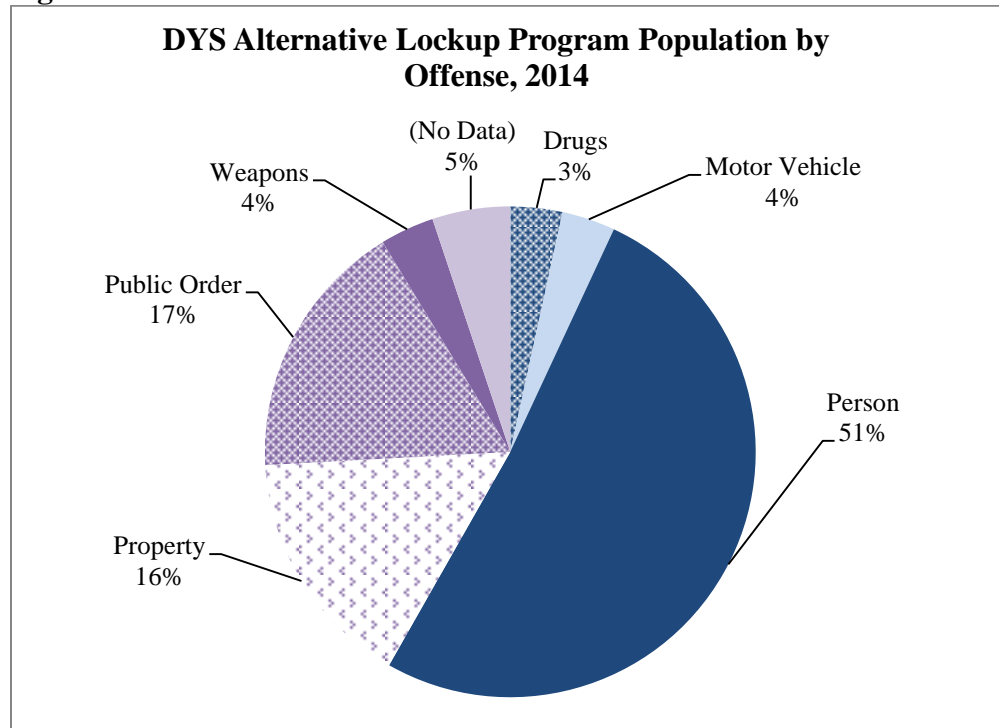
Table 5. Alternative Lockup Program Admissions by Age, 2014

Age	Total	Percent
10	1	0.05%
11	3	0.1%
12	30	1.4%
13	95	4.5%
14	281	13.4%
15	406	19.3%
16	592	28.1%
17	693	32.9%
18	3	0.1%
Total	2,104	100%

Source: Massachusetts Department of Youth Services, 2015.

Similar to the detainee population, the majority of youth admitted to an ALP were charged with a person-related offense (51%), followed by a public order offense (17%) (Figure 27).

Figure 27.



Source: Massachusetts Department of Youth Services, 2015.

(4) Other social, economic, legal and organizational conditions considered relevant to delinquency prevention programming.

There are many risk and protective factors associated with juvenile delinquency. This section gives a brief overview of the following:

- Child Abuse and Neglect
- Teen Pregnancy and Sexual Health
- Mental Health Disorders
- Economic Conditions
- School Dropouts and School Exclusions
- Youth Violence and School Safety
- Tobacco and Substance Abuse
- Recidivism

CHILD ABUSE AND NEGLECT

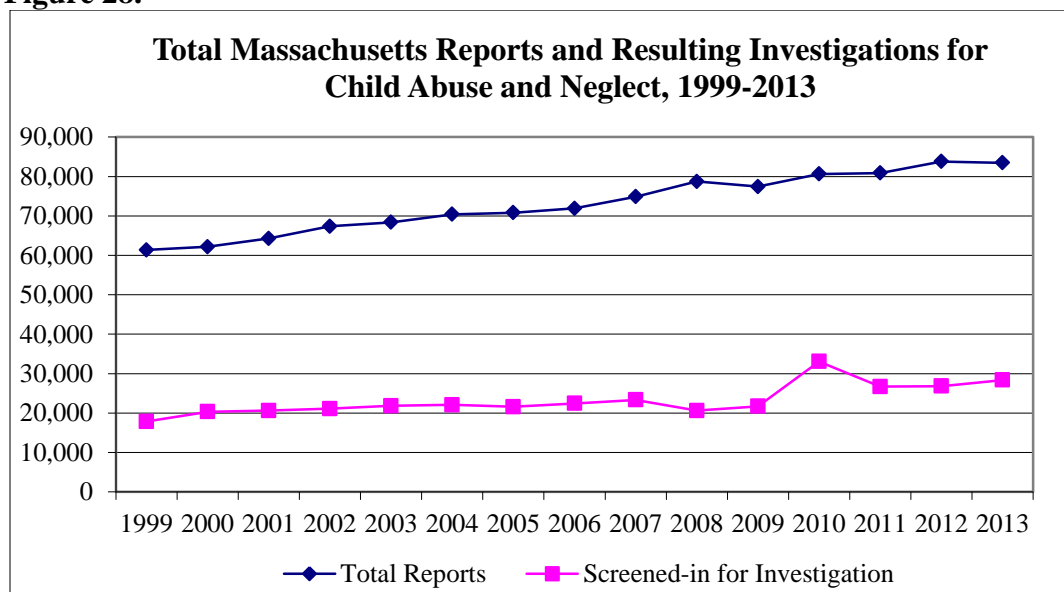
The Department of Children and Families (DCF) is the Massachusetts state agency responsible for protecting children under the age of 18 from child abuse and neglect. Massachusetts law requires professionals, referred to as mandated reporters, to notify DCF if they suspect child

abuse or neglect. The Code of Massachusetts Regulations (110 CMR 2.00) defines abuse and neglect as follows:

- Abuse is “the non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of physical or emotional injury, or constitutes a sexual offense under the laws of the Commonwealth or any sexual contact between a caretaker and a child under the care of that individual. Abuse is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting.)”
- Neglect is the “failure by a caretaker, either deliberately or through negligence or inability to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care.”

According to DCF, in 2013 there were 83,473 child abuse and neglect reports (51A) filed with the agency (Figure 28). Of those 83,473 reports, 28,381 or 34% were screened-in for investigation and another 17,529 or 21% were screened-in for an initial assessment. The total number of 51A reports filed in 2013 does not reflect a measurable change from the 2012 figure of 83,805. Although the number of reports that were screened-in for investigation increased by 1,563 – this too does not reflect a measurable change. Despite the static reporting in 2013 for child abuse and neglect, the overall numbers remain particularly alarming given the relationship between child abuse and neglect and juvenile delinquency.

Figure 28.



Source: Department of Children and Families, 2015.

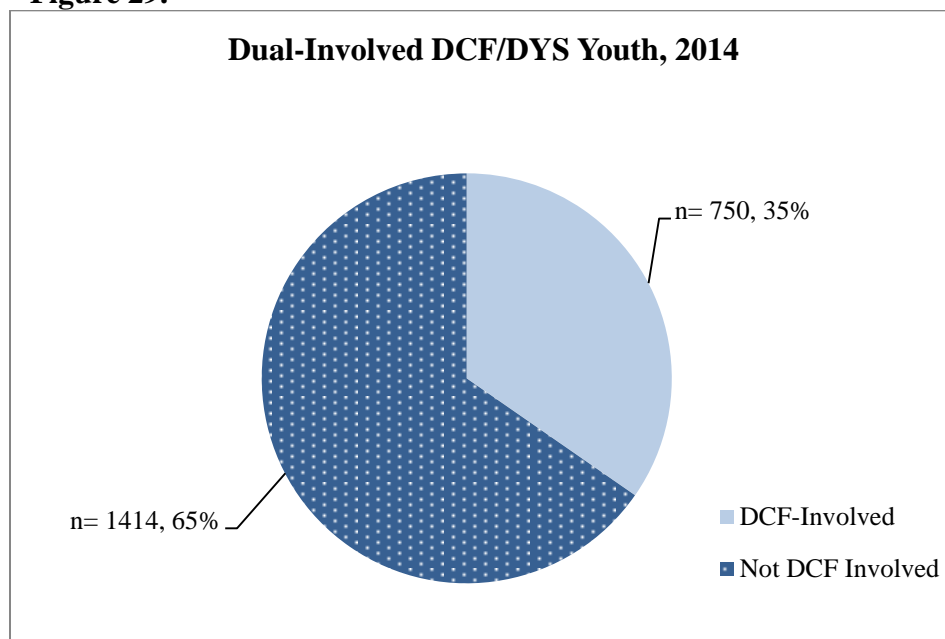
Violence is damaging whether one is directly victimized or indirectly exposed. “Explanations for Offending” a report published in May 2014 in Justice Research noted that, “youth who experience poor parenting and have harsh, brittle relationships with their parents . . . are likely to have low self-control and therefore relatively high levels of offending at all ages.”²² This is very

²² National Institute of Justice: Office of Juvenile Justice and Delinquency Prevention. (2014). Explanations for Offending (NCJ Publication No. 243975). Accessed June 15, 2015: <https://www.ncjrs.gov/pdffiles1/nij/243975.pdf>.

disconcerting in light of the results of the National Survey of Children’s Exposure to Violence, published in October 2011, which noted 11% of children were exposed in some manner to family violence in the past year, including 6.6% who were exposed to intimate partner violence between parents or between a parent and their partner. A report published in July 2004 in the National Institute of Justice Journal confirmed the findings of an earlier study, noting that, “children who are physically abused and neglected have an increased risk of arrest for violence....As a whole, the abused and neglected children were 11 times more likely to be arrested for a violent crime as a juvenile...”²³ These research findings have serious repercussions for those youth who come under the care of the Department of Children and Families, as well as the Department of Youth Services.

In Massachusetts, youth receiving services from DCF are more likely to be overrepresented in detention. Usually referred to as “dually-involved,” in 2014, a total of 750 youth were involved with both DCF and DYS. According to a March 2014 report by the non-profit organization Citizens for Juvenile Justice, only 2.4% of Massachusetts children are receiving DCF services.²⁴ However in 2014, 35% of detained youth were dually-involved with DCF (Figure 29).²⁵

Figure 29.



Source: Massachusetts Department of Youth Services, 2015.

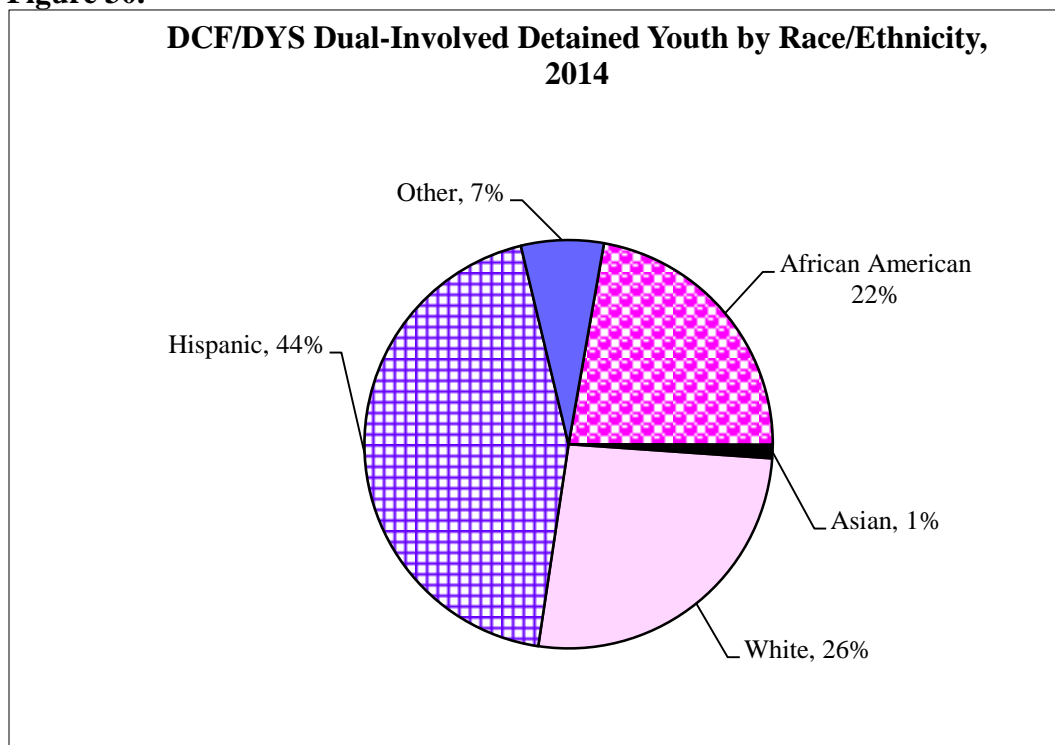
²³ Johnson, N. E. & Saccuzzo, D. P. (2004). Child Custody Mediation and Domestic Violence. National Institute of Justice Journal, (251), 23. <https://www.ncjrs.gov/pdffiles1/jr000251.pdf>.

²⁴ Citizens for Juvenile Justice, (March 2014) “Unlocking Potential: Addressing the Overuse of Juvenile Detention in Massachusetts.”

²⁵ Massachusetts Department of Youth Services, 2014.

Minority youth are overrepresented in the percentage (74%) of DYS/DCF dually-involved youth (Figure 30).

Figure 30.



Source: Massachusetts Department of Youth Services, 2015.

Table 6 (below) portrays the racial and ethnic breakdown of DCF/DYS dual-involved youth by county. The disproportionate minority contact is evident in many Massachusetts counties, even those with a small number of dual-involved youth. For example, in Berkshire County minority youth²⁶ comprise 15% of the population but represent five times the percentage of DCF/DYS dual-involved youth. Similarly, in Bristol and Middlesex Counties minority youth comprise 21% and 29% of the population, but represent 65% and 72% of DCF/DYS dual-involved youth, respectively.

²⁶ Youth are defined as ages 0 – 17.

Table 6. Percentage of DCF/DYS Dual-Involved Youth by County and Race/Ethnicity, 2014

County	African American	Asian	White	Hispanic	Other	Total n
Barnstable	10.5%	0.0%	73.7%	0.0%	15.8%	19
Berkshire	66.7%	0.0%	25.0%	8.3%	0.0%	12
Bristol	14.0%	0.0%	35.1%	38.6%	12.3%	57
Essex	5.6%	2.8%	35.2%	48.6%	7.7%	142
Franklin	0.0%	0.0%	0.0%	100.0%	0.0%	1
Hampden	22.2%	0.9%	19.7%	56.4%	0.9%	117
Hampshire	20.0%	20.0%	60.0%	0.0%	0.0%	5
Middlesex	29.7%	0.0%	28.4%	31.1%	10.8%	74
Norfolk	26.3%	0.0%	63.2%	0.0%	10.5%	19
Plymouth	35.5%	0.0%	16.1%	35.5%	12.9%	31
Suffolk	38.8%	1.4%	6.8%	44.2%	8.8%	147
Worcester	15.1%	0.0%	28.6%	56.3%	0.0%	126

Source: Massachusetts Department of Youth Services, 2015.

Note: There were no DCF/DYS dual-involved youth from Nantucket County.

TEEN PREGNANCY AND SEXUAL HEALTH

Research has consistently shown the connection between childhood maltreatment and future delinquent behavior. One longitudinal study found that physically abused children were at greater risk of being arrested as juveniles, more likely to drop out of high school, and more likely to have been a teen parent (Langsford et al. 2007). A 2004 report issued by the Child Welfare League of America found that sexual abuse in young girls was directly tied to delinquency. In comparison to non-offenders, childhood sexual abuse often led to engagement in unsafe sexual practices and early sexual activity, resulting in teen pregnancy and the contraction of sexually transmitted diseases. A study four years later conducted by the University of Wisconsin-Madison found that despite a decline in the overall rates of juvenile delinquency in the United States, the number of female youth being arrested and held in secure facilities has been on the rise. And while many of the factors that lead to delinquency are the same for both males and females, the delinquency of girls' is often preceded by a history of sexual abuse. Girls who are intimately involved with delinquent males are more likely to become deviant themselves, and girls who engage in deviant behavior are also more likely to choose male offenders as romantic partners.

Results from the 2013 Massachusetts Youth Risk Behavior Survey (MYRBS), a self-reported instrument administered to 9,185 students in 144 public middle and high schools every odd-numbered year by the Massachusetts Department of Elementary and Secondary Education (DESE), indicate that:

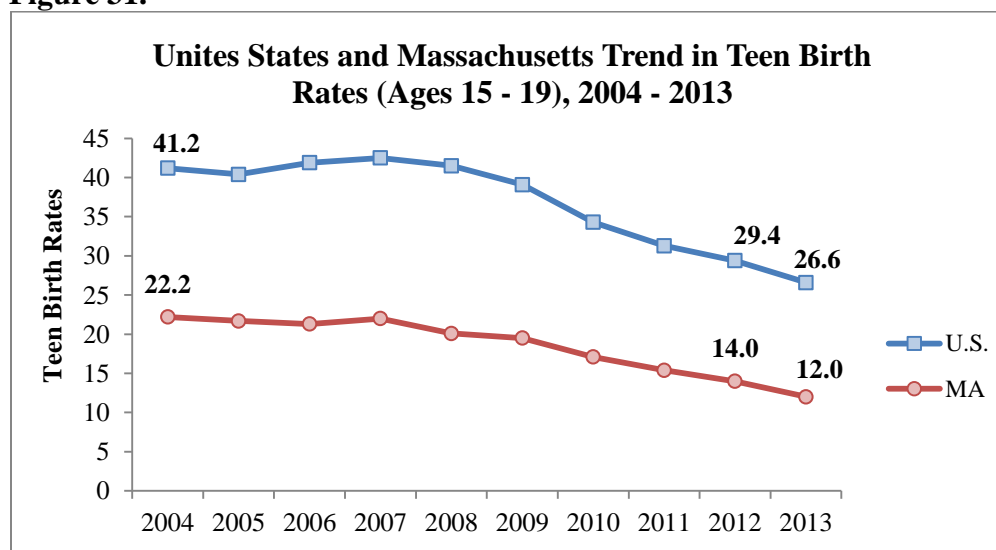
- 38% of high school students have had sexual intercourse;
- 28% of high school students had intercourse in the three months prior to the survey;
- 3% of high school students had sexual intercourse for the first time before age 13;

- 9% of high school students reported having four or more partners in their lives;
- 3% of high school students have been pregnant or impregnated someone else;
- 42% of high school students who had recent sexual intercourse did not use a condom; and
- 2% of students reported a diagnosis of HIV or another STD.

In 2013, 2,732 babies were born to young women in Massachusetts ages 15-19. Teen mothers who gave birth during this time were less likely than their adult counterparts in Massachusetts to breastfeed, be married, and receive adequate prenatal care. Teen mothers were also more likely to smoke during pregnancy, have babies with low birth weights, and receive publically-funded prenatal care (Massachusetts Department of Public Health, 2013).

The Massachusetts Department of Public Health (DPH) reported that the overall teenage childbirth rate in the Commonwealth of 12.0 in 2013 was well below the national average of 26.6 and a 35% reduction from 2004, and a 14% decline from the previous year (Figure 31).

Figure 31.



Source: Massachusetts Department of Public Health, *Teen Births Massachusetts: 2013*, December 2014.

Note: Teen birth rate is the number of births to females ages 15-19 per 1,000 females ages 15-19.

Statistics confirm the following ten Massachusetts communities in descending order had birth rates higher than the national average in 2013. With the exception of Pittsfield, the remaining top nine communities also had birth rates higher than the national average in 2012, yet exhibited declining birth rates in 2013 (Table 7, below).

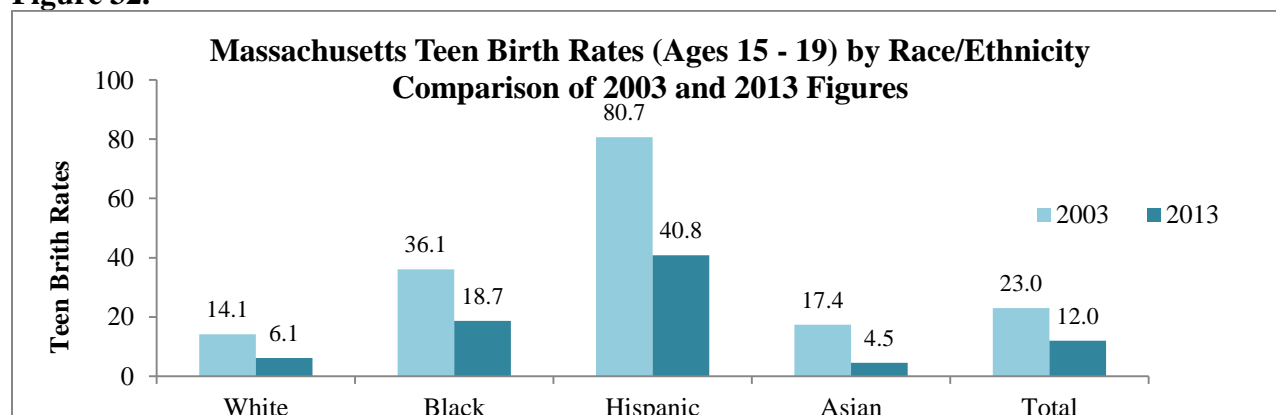
Table 7. Teen Birth Rates of Massachusetts Communities with Rates Higher than the National Rate (26.6)

2013 Rank	Municipality ²⁷	2012		2013		12-13 Rate Percent Change
		Number of Teen Births	Teen Birth Rate	Number of Teen Births	Teen Birth Rate ^{28,29}	
	State Total	3,219	14.1	2,732	12.0	-14.9%
1	Holyoke	86	57.1	70	46.4	-18.7%
2	Chelsea	60	50.1	55	45.9	-8.4%
3	Southbridge	31	54.3	25	43.8	-19.3%
4	Springfield	319	46.7	289	42.3	-9.4%
5	New Bedford	129	42.5	126	41.5	-2.4%
6	Lawrence	174	51.3	139	40.9	-20.3%
7	Lynn	113	35.1	106	32.9	-6.3%
8	Fall River	101	36.3	89	32.0	-11.8%
9	Brockton	105	31.3	96	28.6	-8.6%
10	Pittsfield	34	25.4	37	27.6	8.7%

Source: *Teen Births, Massachusetts: 2013*. Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. December 2014.

DPH data further indicates that teen birth rates vary considerably by race/ethnicity, although rates dropped from 2003 to 2013 for all young women in the 15-19 age group. Hispanic teens had the highest birth rate followed by Black teens; Asian teens had the lowest birth rate. From 2003 to 2013, the White teen birth rate decreased 57% (from 14.1 to 6.1); the Black teen birth rate decreased 48% (from 36.1 to 18.7); the Hispanic birth rate decreased 49% (from 80.7 to 40.8); and the Asian teen birth rate decreased 74% (from 17.4 to 4.5) (Figure 32).

Figure 32.



Source: *Teen Births, Massachusetts: 2013*. Office of Data Management and Outcomes Assessment, Massachusetts Department of Public Health. December 2014.

²⁷ The 10 communities are from a list of the 25 Massachusetts cities and towns with the greatest number of teen births.

²⁸ Rates are per 1,000 females ages 15-19 per city/town.

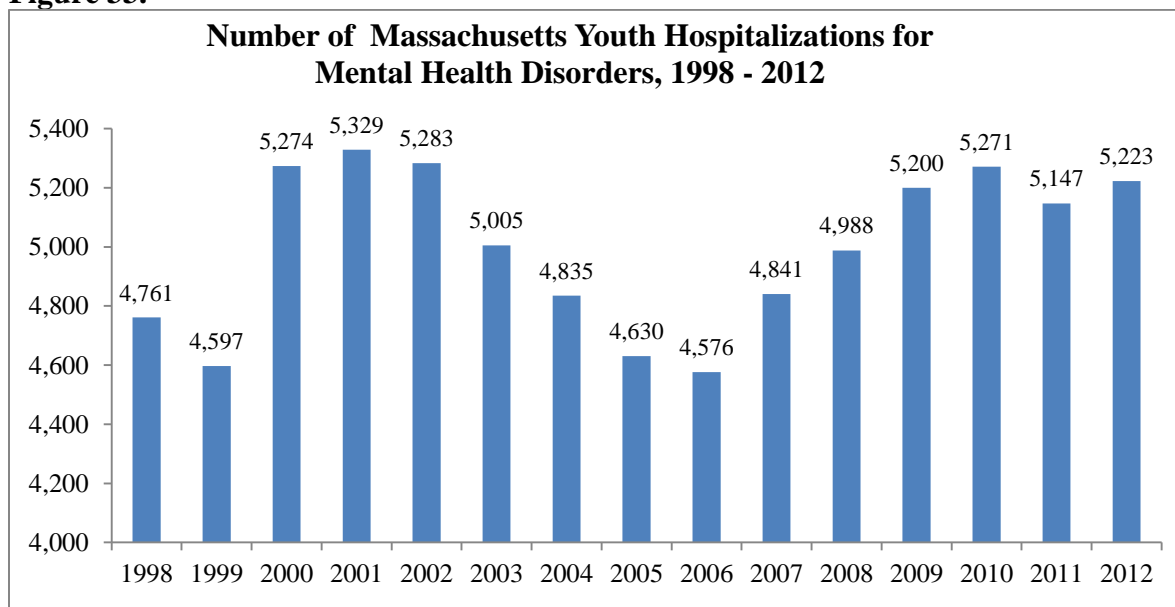
²⁹ Birth rates for cities and towns were calculated using the Massachusetts Department of Public Health Race Allocated Census 2010 Estimates file (MRACE 2010), which is the most up-to-date information available on the number of persons by age, race, and sex at the sub-state level.

MENTAL HEALTH DISORDERS

Over the past two decades, practitioners have become increasingly more aware of and concerned with the relationship between youth involved in the juvenile justice system and mental illness. A 2006 study by the National Center for Mental Health and Juvenile Justice (NCMHJJ), in conjunction with the Council of Juvenile Correctional Administrators (CJCA), found that, "...the majority (70.4%) of youth in the juvenile justice system meet criteria for at least one mental health disorder...In addition, the results of this study indicate that youth in contact with the juvenile justice system experience high rates of disorder across the various types of mental health disorders."³⁰ Studies such as this one conducted by the NCMHJJ and the CJCA demonstrate the clear need for the availability of and access to mental health services for detained youth.

According to a 2004 report issued by the Commonwealth of Massachusetts titled, *Massachusetts Juvenile Justice Data and Information*, many youth dealing with mental health disorders that are not under the control of the juvenile justice system are not referred to hospitals for treatment. However, due to the scarcity of available data on mental illness, information tracking the number of annual hospital discharges for youth under the age of 19 is still helpful in our analysis of these trends. Data compiled by DPH for calendar year 2012 shows that 5,223 youth ages 19 and under were hospitalized for mental health disorders, a slight increase (1.5%) from the previous year (Figure 33).

Figure 33.



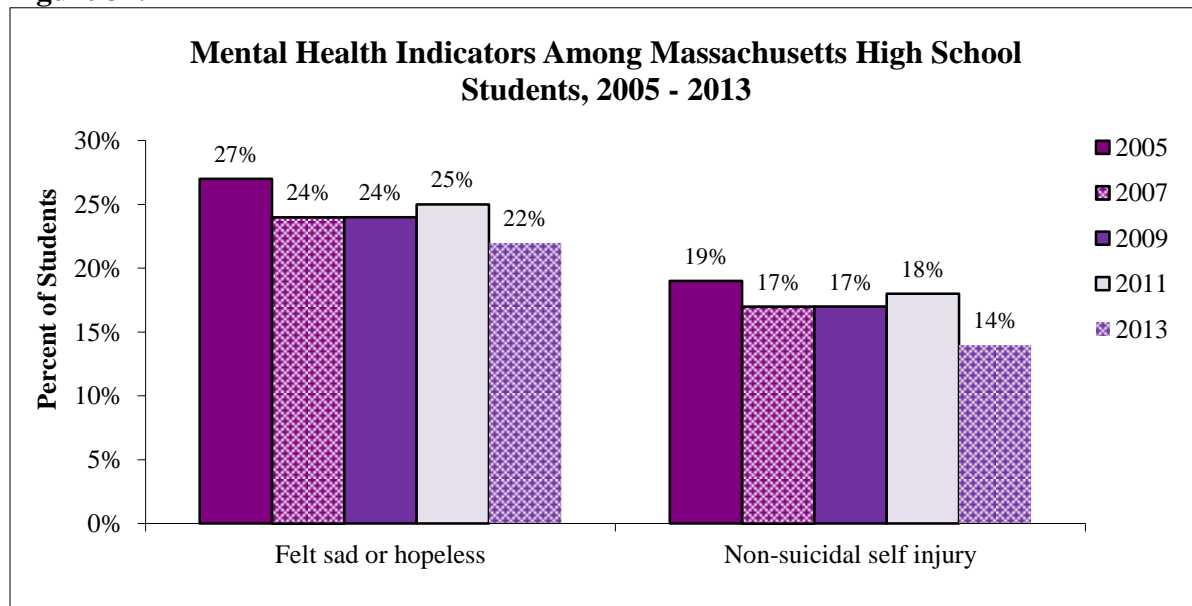
Source: Massachusetts Department of Public Health, 2015.

Note: Hospital Discharge with a Primary Diagnosis. Youth is defined as anyone under the age of 20.

³⁰ National Center for Mental Health and Juvenile Justice. (2006). Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study. Accessed June 15, 2015: <http://www.ncmhjj.com/wp-content/uploads/2013/07/7.-PrevalenceRPB.pdf>.

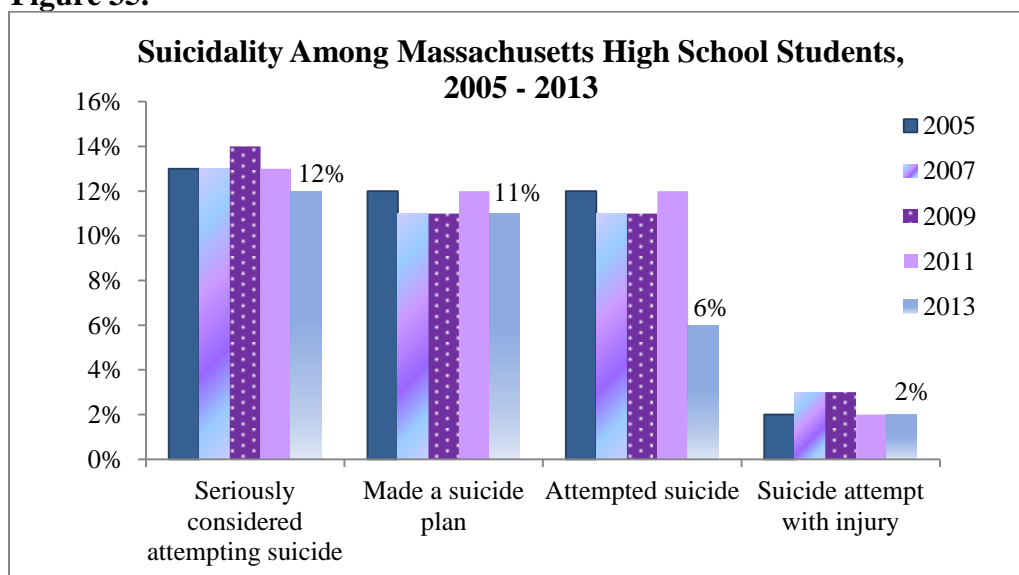
In addition to hospitalization discharge statistics, MYRBS data from 2013 provides a strong indication of the mental health of middle-school students and teens in the Commonwealth. Survey results reveal that 22% of high school students reported feeling hopeless or sad daily for at least a two week period within the past year causing them to cease participation in normal activities. That same year, 42% of students reported that they felt the need to talk to an adult regarding their feelings or current issues in their lives, and 11% of students sought out a psychologist, school counselor or nurse. And of greatest concern, 14% of students reported intentionally hurting themselves (Figure 34), 13% seriously considered suicide, 11% established a suicide plan, 6% attempted suicide, and 2% had a suicide attempt with injury (Figure 35).

Figure 34.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of Massachusetts Youth 2013*, May 2014.

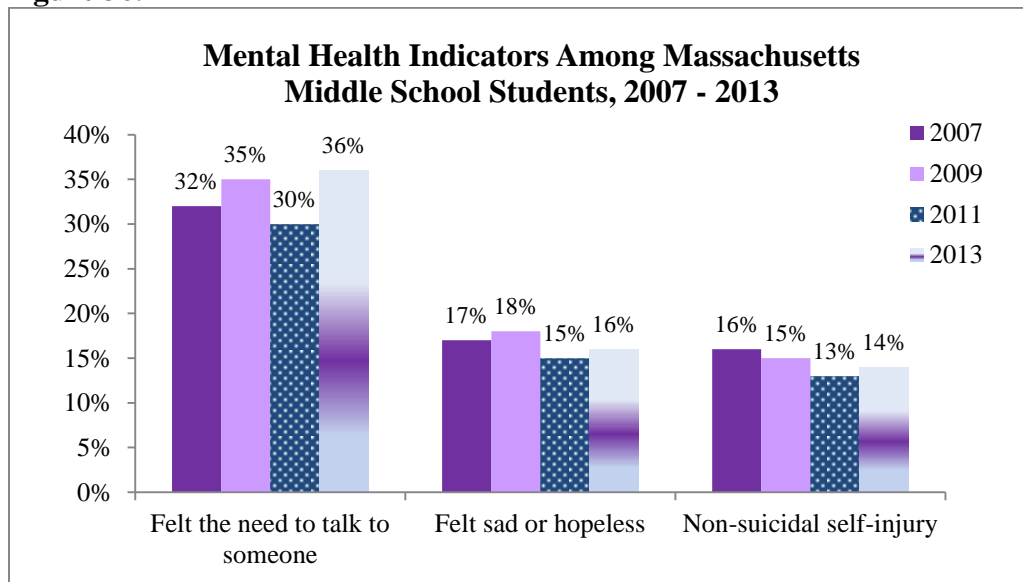
Figure 35.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of*

In 2013, 36% of middle school students reported they felt a need to talk to an adult during the past year about how they were feeling or problems they had, an increase from 30% in 2011, and 8% sought out a school psychologist or counselor. Sixteen percent (16%) of middle school students reported feeling daily sadness or hopelessness for at least two weeks during the past year that they did not engage in their regular activities. Approximately one-in-seven middle school students (14%) reported a non-suicidal self-injury during the past year (Figure 36).

Figure 36.



Source: Department of Elementary and Secondary Education, *Health and Risk Behaviors of Massachusetts Youth 2013*, May 2014.

ECONOMIC CONDITIONS

Due to established links between poverty and crime, it is important to take economic conditions into consideration when looking at juvenile justice issues in Massachusetts. This section looks at the income levels of children and families in Massachusetts.

Data compiled by the National Center of Children in Poverty (NCCP)³¹ revealed that in 2012, 30% of Massachusetts children (those under 18 years of age) were low-income³² compared to 45% nationally. Furthermore, 15% of Massachusetts children reside in poor families³³ compared to 22% nationally. Additional Massachusetts data illustrates the economic insecurity of many children from low-income families:

- 27% of children in low-income families do not have an employed parent;
- 80% of children whose parents do not have a high school degree live in low-income families;

³¹ National data were calculated from the 2012 American Community Survey, representing information from 2012. State data were calculated from the 2010 – 2012 American Community Survey, representing information from the years 2010-2012.

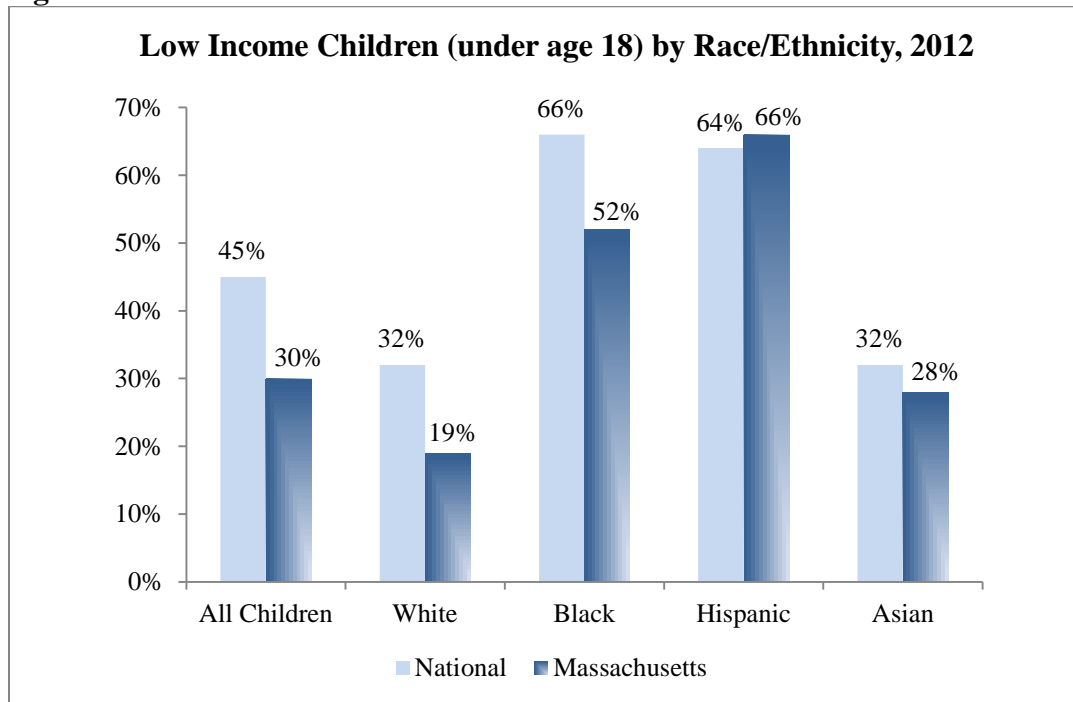
³² Low income is defined as a family of four earning less than \$46,566 annually.

³³ The federal poverty level is \$23,283 for a family of four.

- 61% of children in low-income families live with a single parent;
- 32% of children under age six live in low-income families; and
- 27% of children in low-income families live in owner-occupied housing.

Figure 37 shows minority children were disproportionately represented among low-income families.

Figure 37.



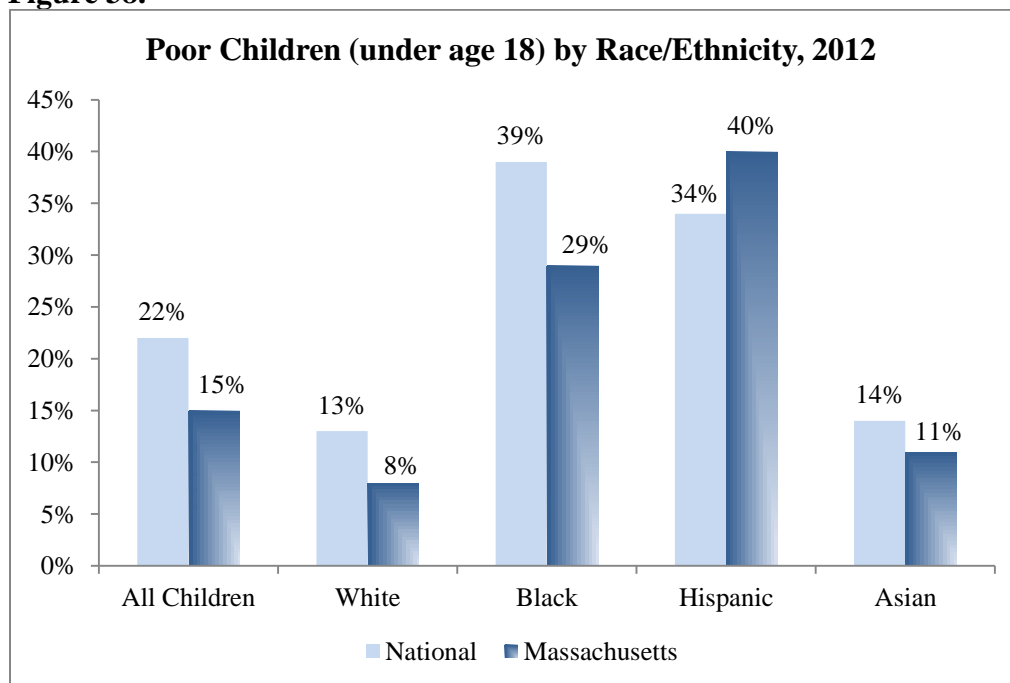
Source: National Center of Children in Poverty, accessed April 6, 2015,
http://www.nccp.org/profiles/state_profile.php?state=MA&id=6

Children who live in poor families are represented by the following demographics:

- 44% of children in poor families do not have an employed parent;
- 55% of children whose parents do not have a high school degree live in poor families;
- 74% of children in poor families live with a single parent;
- 17% of children under age 6 live in poor families; and
- 15% of children in poor families live in owner-occupied housing.

Similar to the chart on the preceding page, minority children were disproportionately represented among poor families (Figure 38, below).

Figure 38.



Source: National Center of Children in Poverty, accessed April 6, 2015,
http://www.nccp.org/profiles/MA_profile_7.html

JUVENILE COURT CARE AND PROTECTION CASES

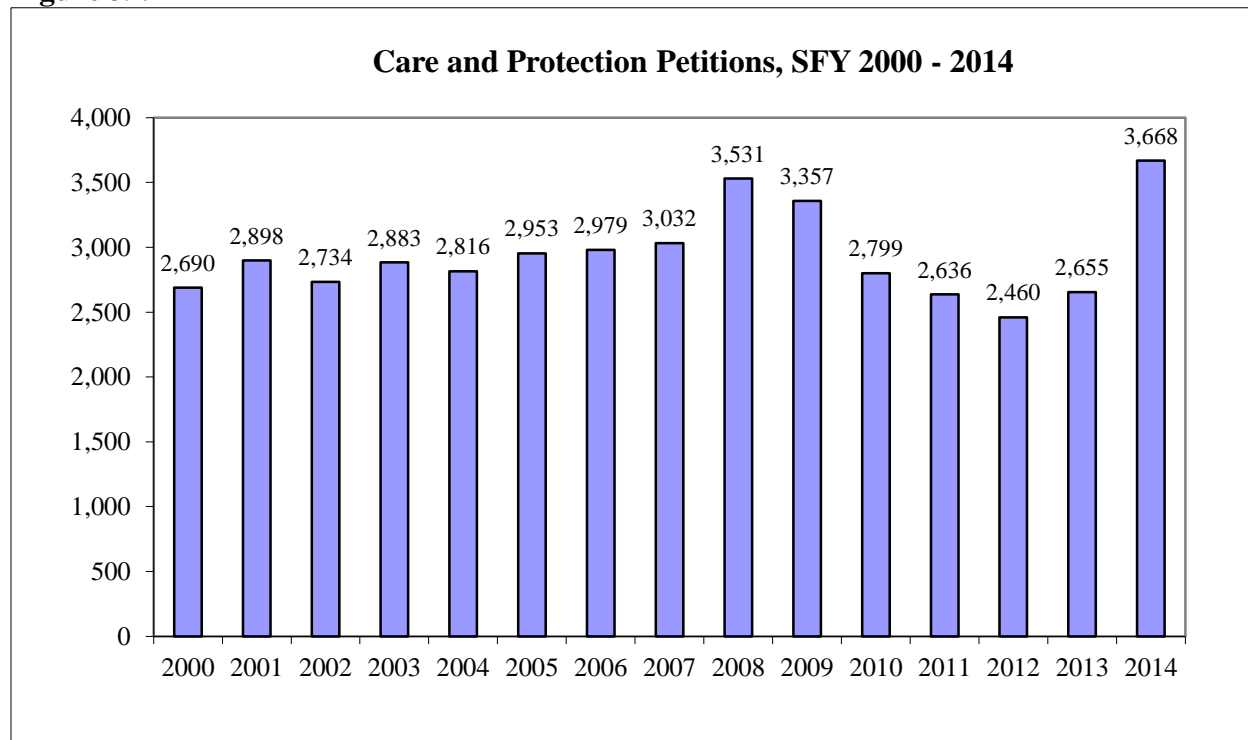
Care and Protection cases in Massachusetts are heard in the Juvenile Court.³⁴ The following characteristics unique to the of care and protection proceedings of children are found in Massachusetts General Laws, Chapter 119, Section 26:

- If the court finds the allegations in the Care and Protection petition proved, it may adjudged that the child is in need of care and protection.
- If the child is adjudged to be in need of care and protection, the court may commit the child to the custody of DCF until he becomes an adult or until the object of his commitment has been accomplished.
- The Court may also make any other appropriate order, including permitting the child to remain with a parent, guardian or other custodian or transferring temporary or permanent legal custody to:
 - a) any person, including the child's parent, who is found by the court to be qualified to give care to the child;
 - b) any agency or other private organization licensed or otherwise authorized to receive and care for the child; or
 - c) the department of children and families.

³⁴ The Court Reorganization Act of 1992 authorized the establishment of a statewide juvenile court. The Juvenile Court Department has general jurisdiction over delinquency, children in need of services, care and protection petitions, adult contributing to a delinquency of a minor cases, adoption, guardianship, termination of parental rights proceedings, and youthful offender cases.

Statistics available on the Massachusetts Trial Court's website³⁵ indicate that in state fiscal year 2014, there were 3,668 Care and Protection Petitions in the Juvenile Court.³⁶ The number of Care and Protection cases has ranged from a low of 2,690 in 2000 to the current high of 3,668 in 2014, marking a 36% increase over the 14 year period (Figure 39).

Figure 39.



Source: Massachusetts Trial Court, Juvenile Court Department State Fiscal Year 2013 Statistics.

SCHOOL DROPOUTS AND SCHOOL EXCLUSIONS

“Risk factors” and “protective factors” are phrases commonly used when examining the relationship between school failure and juvenile delinquency. Risk factors refer to variables that increase the likelihood of a youth to engage in destructive behavior, often leading to poor academic performance. Protective factors, on the other hand, represent the availability of resources to promote the healthy growth of a child, both at home and in the classroom, and when needed, to act as a shield against identified risk factors. The greater the degree of protective factors, the more likely the child will be to overcome adversity in the home or in a school setting (Florida Department of Education, *School Staff Guide to Risk and Resiliency*, 1998).

³⁵ www.mass.gov/courts

³⁶ Note: "Delinquency complaints" in Juvenile Court represent the same data point as "juvenile charge" in District Court. For the purposes of this report, "delinquency complaints" includes both delinquency complaints and juvenile charges. The Court Reorganization Act exempted the Brookline District Court and Gloucester District Court from relinquishing jurisdiction to the Juvenile Court Department.

School Dropouts

Studies have shown that the failure to graduate from high school results in lower annual earnings, higher unemployment rates and a greater risk for incarceration. A New York Times article in 2009 reported the results of a study conducted by Northeastern University that revealed that, “On any given day, about one in every 10 young male high school dropouts is in jail or juvenile detention, compared with one in 35 young male high school graduates.” The report further stated that, “The dropout rate is driving the nation’s increasing prison population...”³⁷ The annual dropout rate in Massachusetts’ public schools has ranged from 2.0% to 3.8% over the past eight years, with the last two years marking the lowest rates in recent years (Department of Elementary and Secondary Education, 2015) (DESE).

Table 8. Massachusetts Public High School Dropout Rates

	2006- 2007	2007- 2008	2008- 2009	2009- 2010	2010- 2011	2011- 2012	2012- 2013	2013- 2014
Number of Dropouts	11,436	9,959	8,585	8,296	7,894	7,051	6,248	5,746
Percentage of Total Students	3.8%	3.4%	2.9%	2.9%	2.7%	2.5%	2.2%	2.0%
Male	4.4%	3.8%	3.4%	3.3%	3.2%	2.9%	2.6%	2.4%
Female	3.3%	2.9%	2.5%	2.4%	2.3%	2.0%	1.7%	1.6%
Grade 9	3.9%	3.0%	2.8%	2.8%	2.6%	2.3%	2.0%	1.9%
Grade 10	3.7%	3.5%	2.9%	3.0%	2.8%	2.5%	2.2%	2.0%
Grade 11	3.6%	3.3%	2.7%	2.6%	2.7%	2.4%	2.2%	2.0%
Grade 12	4.1%	3.7%	3.1%	3.1%	2.9%	2.6%	2.4%	2.1%

Source: Department of Elementary and Secondary Education, 2015, *High School Dropouts 2013 – 14 Massachusetts Public Schools*. Table#1 and Table #5: Annual Dropout Rates for Selected Demographics.

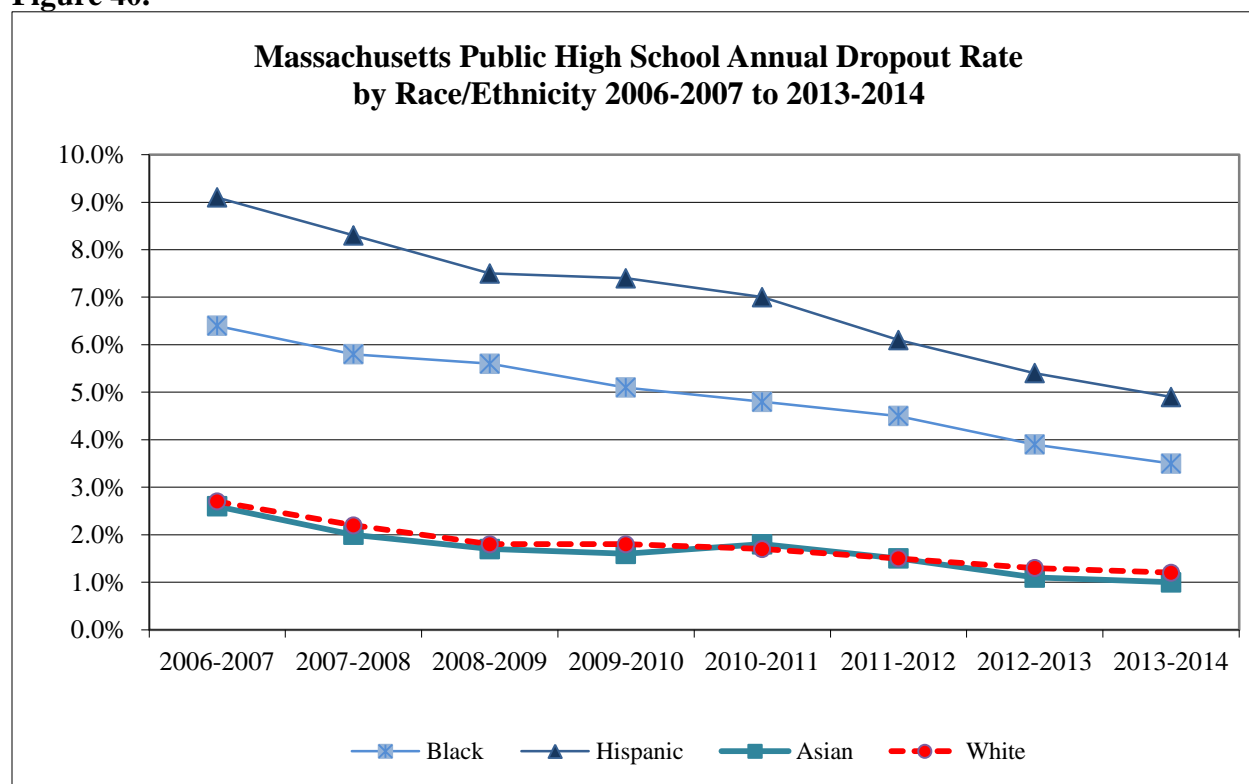
Dropout rates have typically varied by gender, grade, income, school location and by race/ethnicity. In the past eight years, the male dropout rate has ranged from 2.4% to 4.4% and the female dropout rate has ranged from 1.6% to 3.3%. The lowest rates for both genders occurred in the 2013-2014 school year. Over the past seven school years (2007 – 2013), dropout rates across all grades have decreased by at least 1.6 percentage points (Table 8).

During the 2013-2014 school year, the dropout rate for Hispanic students was 4.9%, followed by Black students at 3.5%, Multi-Race, Non-Hispanic students at 2.3%,³⁸ Asian students at 1.0%, and 1.2% for White students. Dropout rates for Black, Hispanic, Asian and White students during this time were the lowest in the past ten school years (DESE, 2015) (Figure 40).

³⁷ Dillon, S. (2009, October 8). Study Finds High Rate of Imprisonment Among Dropouts. New York Times. Online. Accessed June 15, 2015: http://www.nytimes.com/2009/10/09/education/09dropout.html?_r=0

³⁸ Data for Multi-racial students is not available prior to the 2005-2006 school year. In the 2005-2006 school year, the DESE changed the race/ethnicity categories to comply with the federal Office of Management and Budget reporting guidelines.

Figure 40.



Source: Department of Elementary and Secondary Education, 2015. *High School Dropouts 2013 – 14 Massachusetts Public Schools*. Table #6: Annual Dropout Rates for Selected Demographics.

Table 9. Massachusetts Public High School Dropout Data by Race/Ethnicity and Gender, 2013 - 2014

Race/Ethnicity	Gender	Percent of HS Enrollment	Number of Dropouts	Annual Dropout Rate	Percent of <i>all</i> Dropouts
Black	Female	4.5%	355	2.7%	6.2%
	Male	4.6%	561	4.2%	9.8%
Asian	Female	2.8%	70	0.9%	1.2%
	Male	2.8%	94	1.2%	1.6%
Hispanic	Female	7.3%	849	4.0%	14.8%
	Male	7.7%	1,279	5.8%	22.3%
White	Female	33.4%	920	1.0%	16.0%
	Male	34.3%	1,442	1.5%	25.1%

Source: Department of Elementary and Secondary Education, 2015. *High School Dropouts 2013 – 14 Massachusetts Public Schools*. Table #7: Annual Dropout Data by Race/Ethnicity and Gender.

While dropout rates for Black and Hispanic students are at their lowest in the past ten school years, there remains some troubling statistics when comparing the percentage of the high school enrollment by race and ethnicity to the percentage of all dropouts. Black males represent 4.6% of the enrollment in high schools across the Commonwealth but are more than double the percent of all dropouts (9.8%). Hispanic females and males comprise 7.3% and 7.7% of enrolled high school students respectively, but account for double (14.8%) and almost triple (22.3%) the

percentage of all dropouts. The above statistics demonstrate the continued need for dropout prevention and intervention programs (Table 9).

School Exclusions

School exclusion is defined by the DESE as the, "...removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could also be permanent or indefinite." A 2003 study by the National Center on Education, Disability, and Juvenile Justice reveals that exclusion may, "...accelerate the course of delinquency, by providing at-risk and alienated youth extra time to associate with deviant peers."³⁹ DESE data reveal that during the 2013-2014 school year there were a total of 20,824 in-school suspensions and an additional 38,309 out-of-school suspensions (Table 10). These figures represent a decrease of 2.2% and 8.6%, respectively, from the previous year.⁴⁰ Breakdowns of these figures by gender and race are not available at this time.

Table 10. Number of Massachusetts Public High School Suspensions

	2010-2011	2011-2012	2012-2013	2013-2014
In-school suspension	30,293	29,212	21,287	20,824
Out-of-school suspension	48,336	46,279	41,931	38,309

Source: Department of Elementary and Secondary Education, 2015.

YOUTH VIOLENCE AND SCHOOL SAFETY

Ideally, school should be an environment that fosters teaching and learning, and not where one is exposed to crime and violence. Crime and violence at school can create the foundation for negative behaviors such as alcohol and drug use and suicide. It also can have lasting effects such as fear, isolation and depression, but also lead to poor academic performance that may contribute to truancy and dropping out of school.

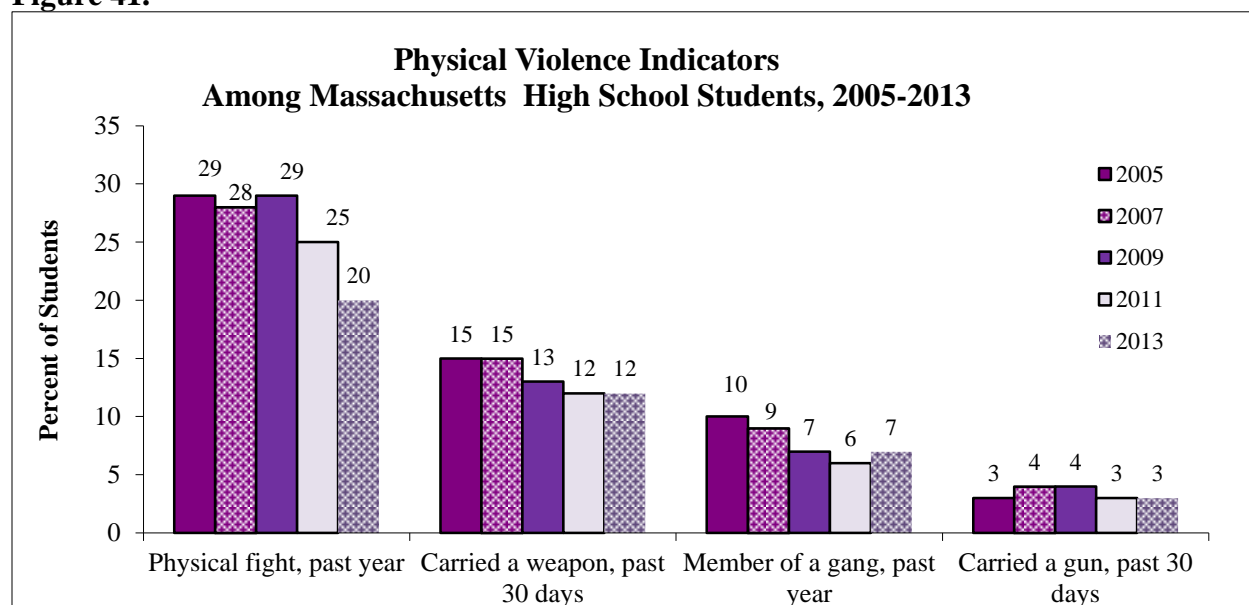
In addition to collecting data on sexual activity and pregnancy as noted in a previous section of this report, the biennial MYRBS also captures self-reported violence and school safety concerns by Massachusetts youth. The following data was collected from high school students during the 2013 MYRBS:

- 18% of male students and 5% of female students reported carrying a weapon in the past 30 days;
- 5% of males and 1% of females reported carrying a gun in the past 30 days;
- 9% of males and 3% of females indicated gang membership during the past year; and
- 2% reported sustaining injuries that required treatment by a medical professional

³⁹ Christle, C.A., Frey, A., Jolivet, K., Leone, P.E., Nelson, M., & Skiba, R. (2003). School Failure, Race, and Disability: Promoting Positive Outcomes, Decreasing Vulnerability for Involvement with the Juvenile Delinquency System. The National Center on Education, Disability, and Juvenile Justice. Online. Accessed June 15, 2015: http://www.edjj.org/Publications/list/leone_et_al-2003.pdf

⁴⁰ Note: In previous years, the multiple suspensions of individuals were included in the total. DESE has changed the methodology to report school suspensions in the 2012-2013 reporting period. Individuals who are suspended are only counted once in the total and as a result, the significant decline in the number of in-school and out-of-school suspensions is overstated for this reporting period.

Figure 41.

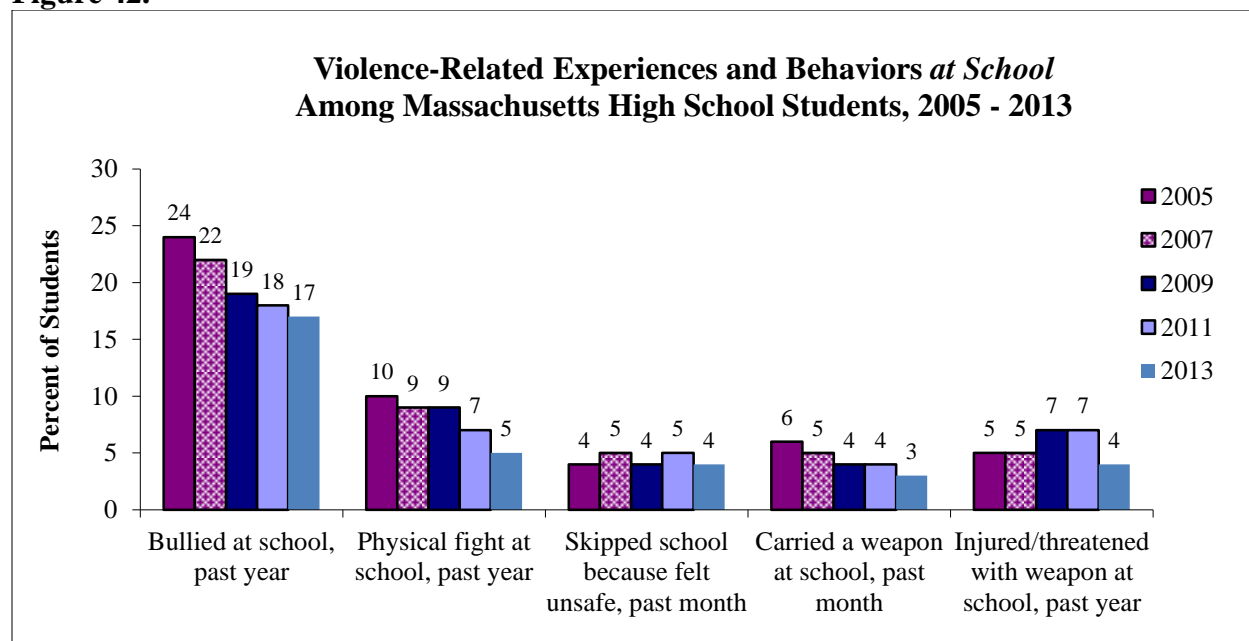


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Generally, student reported physical violence indicators show a decline between 2005 and 2013, with the exception of those students reporting carrying a gun in the past 30 days. Figure 41 above indicates the following for 2013:

- 20% of students reported having been involved in a fight in the past year;
- 12% carried a weapon in the past 30 days – which remained static from 2011;
- 7% reported gang membership, a slight increase from 2011; and
- 3% carried a gun in the past 30 days.

Figure 42.



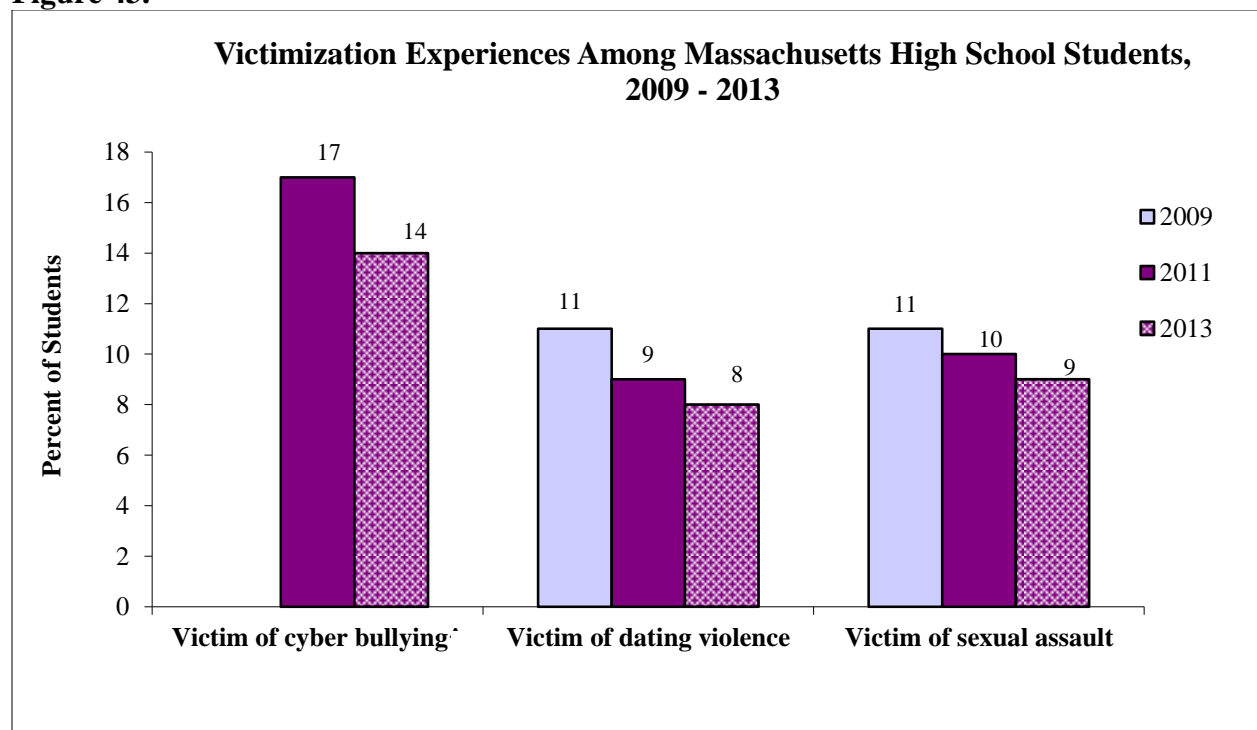
Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Figure 42 above indicates the following for 2013:

- 17% of students reported being bullied at school in the past year;
- 5% of students were involved in a fight on school property in the past year;
- 4% skipped school because they felt unsafe in the past month;
- 3% of students reported carrying a gun on school property in the past month; and
- 4% reported being injured or threatened with a weapon at school in the past year, a 43% decline from the 2011 survey.

According to additional results from high school students who responded to the MYRBS, 14% reported being a victim of cyber bullying, 8% experienced dating violence and 9% a victim of sexual assault (Figure 43).

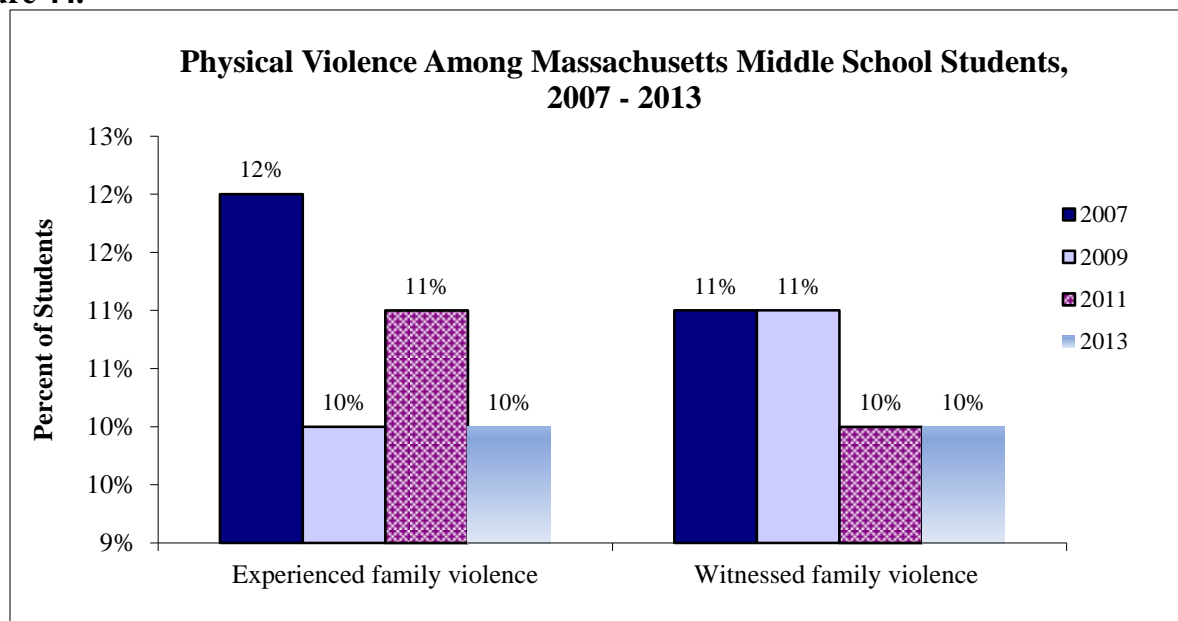
Figure 43.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014. Information for 2009 cyber bullying victimization is unavailable.

The percentage of middle school students who experienced and/or witnessed family violence has remained quite consistent, around 10%, since the MYRBS began documenting this trend (Figure 44).

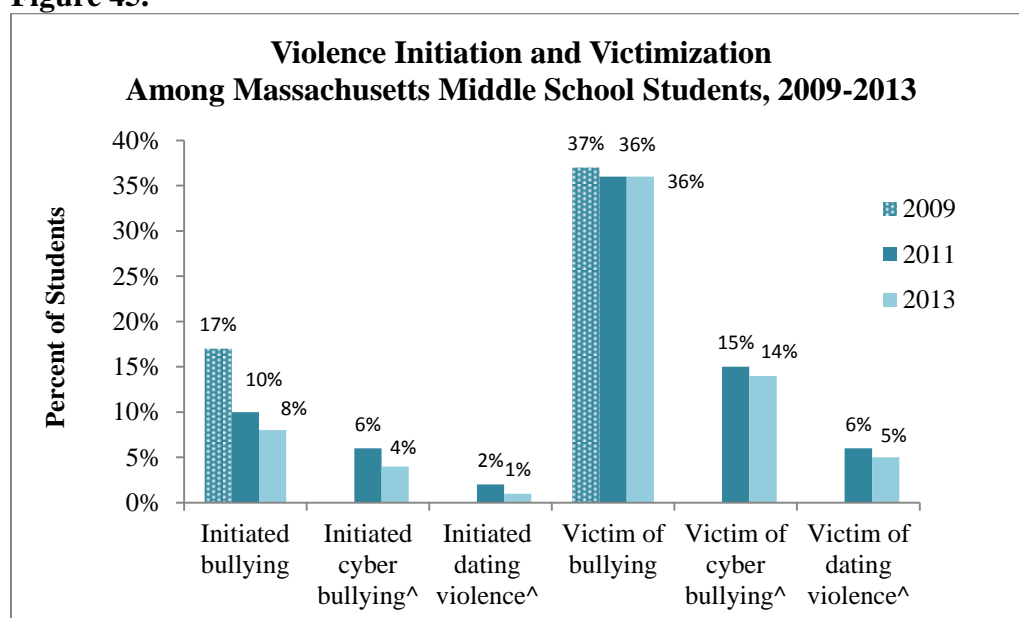
Figure 44.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Figure 45 indicates that as students progress through middle school initiating bullying, cyber bullying and dating violence exists, but has declined in 2013 compared to 2011 survey results.

Figure 45.

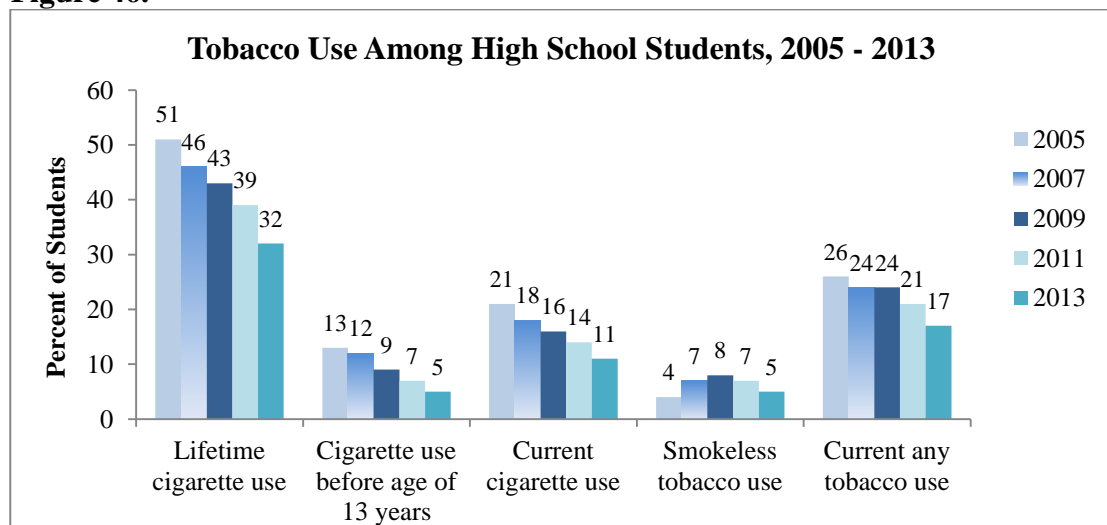


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

TOBACCO AND SUBSTANCE ABUSE

According to the 2013 MYRBS, the use of smokeless tobacco among high school students declined in 2013 (5%) from 2011(7%) survey results. Thirty-two percent (32%) of students reported having smoked cigarettes and 5% stated they did so before the age of 13, a decline of 37% and 29% from 2005, respectively. Students who reported being current cigarette smokers declined by almost half (48%) from 21% in 2005 to 11% in 2013 (Figure 46).

Figure 46.

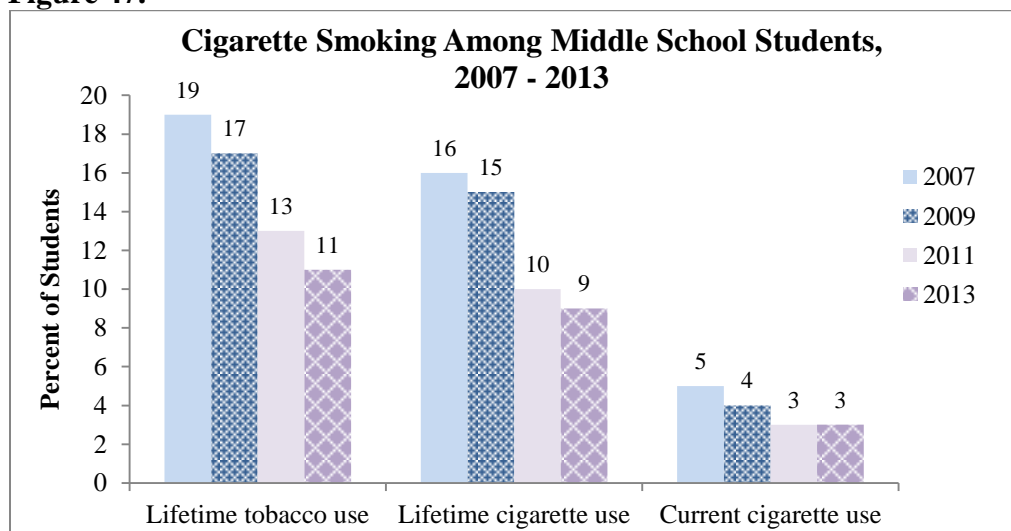


Source:

Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Among middle school students responding to the 2013 survey, 9% reported ever trying a cigarette and remaining static at 3% are those students who reported current cigarette use (Figure 47).

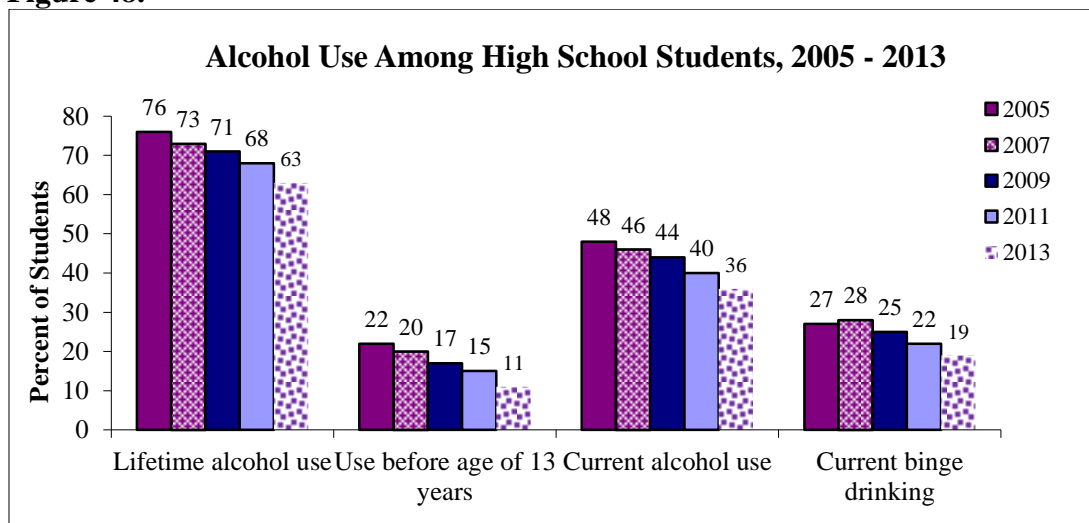
Figure 47.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

The percentage of high school students who reported consuming alcohol prior to the age of 13 decreased by half from 22% in 2003 to 11% in 2013. The rate of students who engaged in binge drinking in the 30 days prior to the survey has continued to decline from the high in 2007 (28% vs. 19%). Almost one-fifth (19%) report binge drinking five or more drinks of alcohol within a couple of hours (Figure 48). Among middle school students, 18% reported having at least one drink of alcohol in their lifetime, 6% admitted to current alcohol use, and 2% reported current binge drinking.

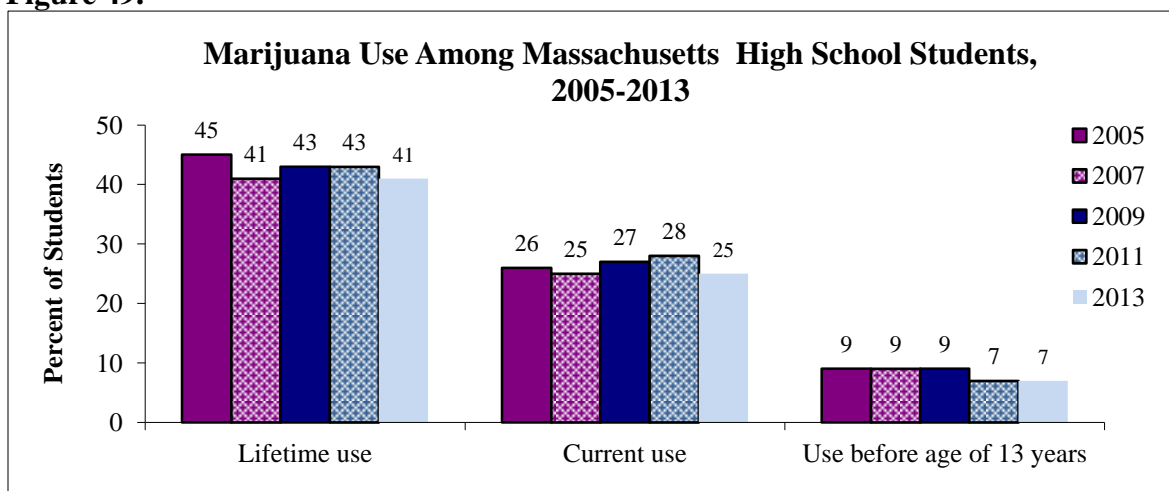
Figure 48.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

Forty-one percent (41%) of high school students reported previous marijuana use, and one-quarter (25%) indicated that they had smoked marijuana in the 30 days prior to the report (Figure 49). Over one-third (38%) of those surveyed indicated that they perceived smoking marijuana occasionally would be a moderate or great risk to their health.

Figure 49.

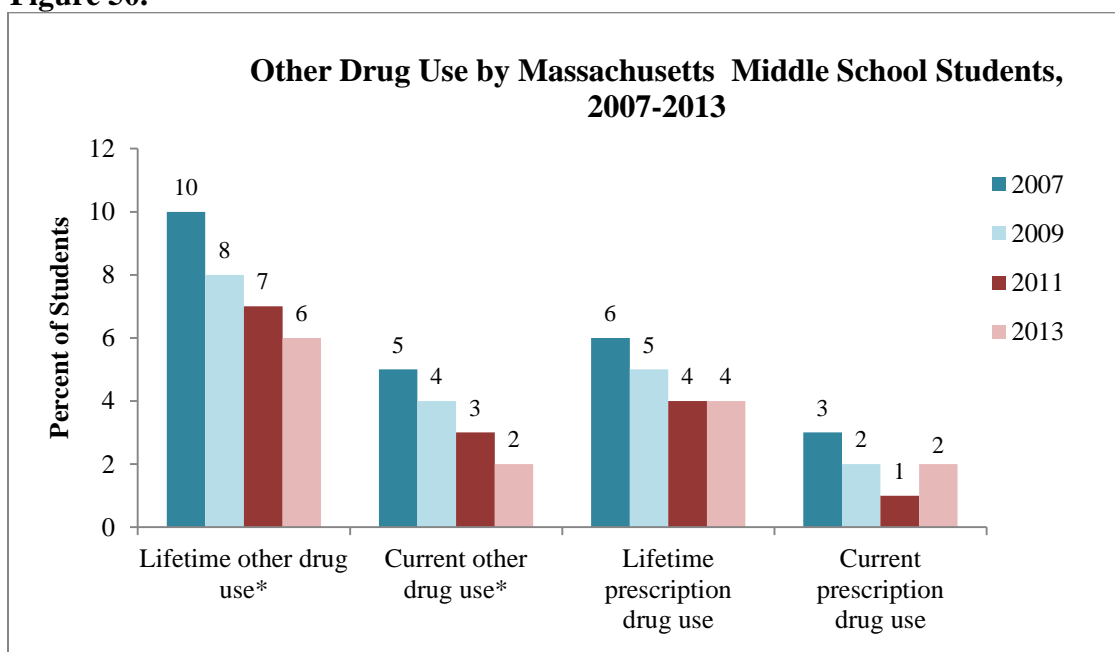


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

High school students reporting use of methamphetamines in 2013 was less than the rates during 2005 (2% vs. 4%). Thirteen percent (13%) of high school students surveyed indicated that they had taken a prescription drug that was not their own, and 2% of students reported using a needle to inject illicit drugs.

In 2013, 8% of middle school students reported having used marijuana at least once in their lives and 3% reported current use of marijuana. Reported lifetime marijuana use increased by grade levels; 2% in 6th grade, 6% in 7th grade, and 14% in 8th grade. Additionally, 4% of middle school students reported lifetime use of prescription drugs that were not their own and 2% reported current use (Figure 50).

Figure 50.

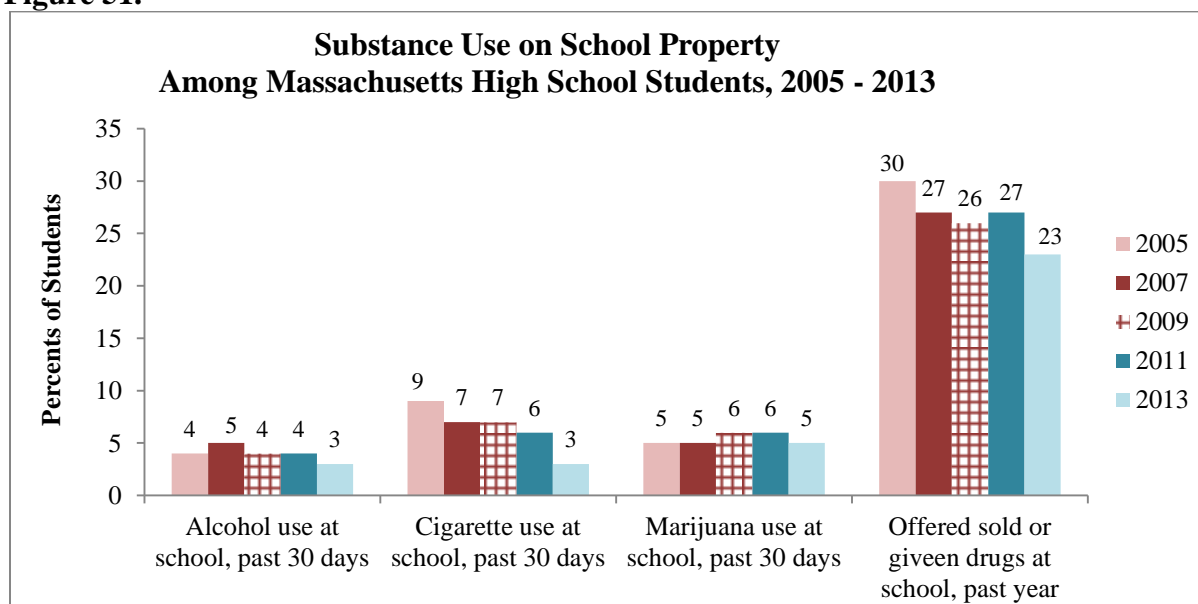


Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

*Other drug category is includes inhalants, heroin, cocaine, amphetamines, methamphetamines, or ecstasy.

Twenty-three percent (23%) of high school students reported being offered, sold, or given illegal drugs on school property during the past year; this figure marks a decrease from 30% of respondents in 2005, and a decrease from 27% in 2011. Alcohol use at school in the past 30 days declined in 2013 to 3% from 4% in 2011 (Figure 51, below).

Figure 51.



Source: Massachusetts Department of Elementary and Secondary Education and Department of Public Health, Health and Risk Behaviors of Massachusetts Youth 2013, May 2014.

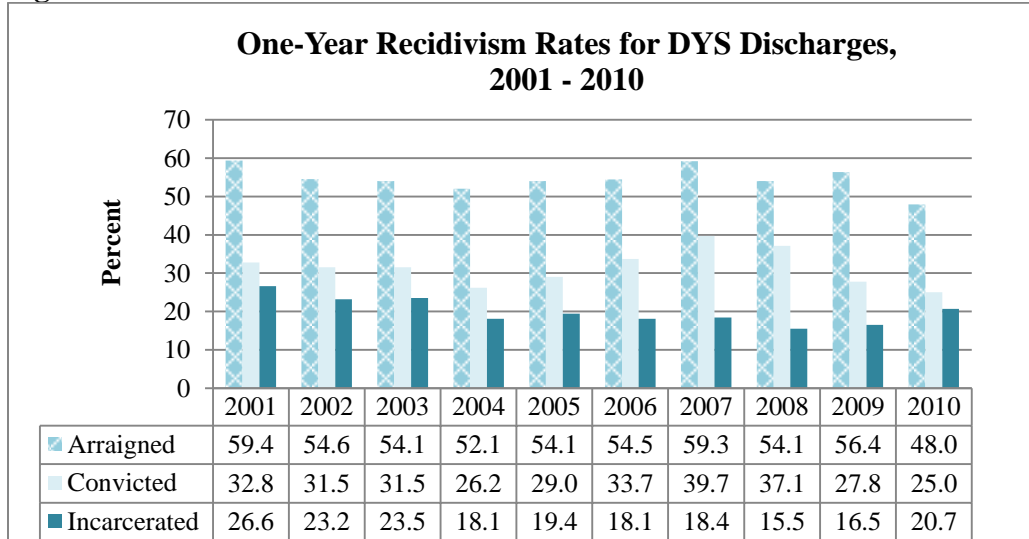
RECIDIVISM

Reentry into the community after being either committed to DYS or after being released from a secure or non-secure placement can be difficult for young people in Massachusetts. The latest recidivism⁴¹ data from DYS is from a cohort of 392 former clients of DYS, or approximately 48% of the 817 clients discharged during 2010.⁴² Of the random sample chosen from the study, 48% were arraigned and 25% were convicted of an offense within one year of discharge. The incarceration rate increased 25% in 2010 compared to the previous year (21% vs. 17%). As depicted in Figure 52 (below) the conviction rate for the 2010 cohort was lowest over the previous nine years. In this most recent study, among the subjects who re-offended within one year of discharge, nearly two-thirds (63%) did so within six months.

⁴¹ Recidivism is defined as a conviction in the adult system for an offense committed within one year of discharge from DYS.

⁴² Massachusetts Department of Youth Services *Juvenile Recidivism Report for Clients Discharged During 2010*, December 22, 2014.

Figure 52.



Source: Massachusetts Department of Youth Services
Juvenile Recidivism Report for Clients Discharged During 2010
 December 22, 2014.

The statistics below pertain to characteristics of the 2010 recidivism cohort:

- **Gender:** 29% of the males and 4% of the females from the cohort study re-offended.
- **Ethnicity:** 28% of African Americans, 27% of Caucasians, 25% of Hispanics, and 7% of juveniles of other ethnicities were re-convicted for offenses committed within one year of discharge.
- **Offense Type:** 38% of the drug offenders, 32% of the property offenders, 24% of the weapons offenders, 21% of the person-crime offenders, and 18% of the motor vehicles offenders were convicted of a crime within one year of discharge.
- **County:** 41% from Hampden County, 37% from Worcester County, 32% from Essex County, 31% from Suffolk County, and 29% from and Bristol County were convicted of a crime within one year of discharge.
- **First arrest age groups:** 13 and younger, 19%; age 14, 25%; age 15, 26%; and 16 and older, 29%.

b. State Priority Juvenile Justice Needs/Problem Statements

This section provides a brief overview of juvenile justice needs as suggested by JJAC analysis of current crime trends and system gaps in the Massachusetts juvenile justice system. Problem statements based on these needs are as follows:

1. There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.
2. There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.
3. There is a need for more comprehensive collection and reporting of Massachusetts juvenile justice data to inform effective public policy.
4. There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.

5. There is a need for a Massachusetts juvenile competence-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.
6. There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

A brief overview of each problem statement, and related goals and action steps, are outlined below.

Problem Statement 1: There is a need to improve sight and sound separation in all relevant facilities and specifically in Massachusetts court holding facilities.

For FFY2011, FFY2012, FFY2013 and FFY2014 the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has designated Massachusetts as out of compliance with the sight and sound separation core requirement of the JJDP Act. (It is anticipated that the Commonwealth will be found out of compliance for FFY2015 also). This results from the fact that numerous court holding facilities do not provide adequate separation between juvenile and adult detainees. All facilities constructed during the past decade and onward are - and will continue to be - compliant. However, many of the older court houses, some dating back several decades, were not built with the intention of separating juveniles and adults. These facilities require significant funding for remedies. They are the focus of a working group consisting of the EOTC, DCAMM, EOPSS, the JJAC and DYS. The working group has been meeting and visiting facilities regularly over the course of the past three years.

The working group has assessed all problematic facilities including their specific challenges and potential remedies. Planning and implementation for remedies has been divided into two rounds based on two sets of problematic court holding facilities. Planning has been completed for the first round. Implementation for the first round of remedies is pending. While Formula Grant funds may be used for some potential remedies, they cannot be used for renovation or construction of buildings. Therefore, EOPSS and the JJAC are using FFY2013 JABG funds, in combination with matching state funds, towards facilities that require renovation as a means of addressing the problem. Yet the funds will fall short of total costs for renovating such facilities. The Commonwealth is covering much of the renovation costs with state funds and will likely cover the full renovation costs for the second round of facilities. Formula Grant funds are being used to cover the costs of non-renovation strategies, such as equipment that will help mitigate sight and sound violations. The planning process for the second round of facilities is underway. It is expected that all remedies will be completed by December 2018.

This issue relates to the “Separation of Juveniles from Adult Inmates” Formula Grant Program Area.

Problem Statement 2: There is a need to reduce disproportionate minority contact in the Massachusetts juvenile justice system.

In Massachusetts and other states across the country, there are racial disparities in the juvenile justice system. These disparities are often referred to as “Disproportionate Minority Contact” (DMC) or “Racial and Ethnic Disparities” (RED). Based on 2012 data, as compared to white

youth, black youth are more than 2.6 times as likely to be arrested, nearly 7 times as likely to be detained pending resolution of their case, and more than 6 times as likely to be committed to the Department of Youth Services (DYS). Latino youth, when compared to white youth, are more than 5 times as likely to be detained, and more than 3 times more likely to be committed to DYS.

Minority youth in Massachusetts are also at greater risk than white youth in a number of other high risk areas. For example, minority youth are overrepresented in the populations of youth who: drop out of school, are excluded from school, become pregnant, and are living below the federal poverty income level. While minority youth make up 28% of the youth population, they made up 56% of the school dropouts and 50% of the children in foster care. Minority youth also have higher percentages of permanent school exclusion (expulsion) than white students. School exclusions are especially problematic since the exclusion rate for minority youth has been increasing at a much higher rate than for white students over the past few years. Studies have shown that there is evidence of differential treatment in school discipline decisions between white and minority youth who engage in similar conduct. School-based arrests add to the problem of DMC.

Efforts to combat DMC are explained in following sections. This issue relates to the “Disproportionate Minority Contact” Formula Grant Program Area.

Problem Statement 3: There is a need for more comprehensive collection and regular reporting of Massachusetts juvenile justice data to inform effective public policy.

Massachusetts does not have a unified and comprehensive data system that collects and reports on the full array of variables and data sets that relate to juvenile justice matters. In addition, the court system’s data collection system – MassCourts – has not been functioning properly, thereby hindering efforts of an array of stakeholders to get important data sets. Stakeholders – including EOPSS and the JJAC – have conveyed to the EOTC the importance of receiving comprehensive and reliable data in order to inform juvenile justice policy as well as maintain compliance with the JJDP ACT. The EOTC has projected that the system will be fully operational in November 2015.

The most reliable and regularly reported data is provided by the Department of Youth Services. DYS provides data on the numbers and characteristics of detained and committed youth. The Massachusetts State Police provide arrest data. However, there are gaps. For example, while the Boston Police Department is moving towards reporting NIBRS data, currently it only reports UCR data. There is also inadequate data collection and reporting with regard to youth who are diverted from the system.

When more comprehensive data is collected and regularly and widely reported, it will help support the call for more juvenile justice programming and will help guide decisions on the specific types of programming that are needed for various regions of the Commonwealth. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 4: There is a need to ensure services and initiatives for at-risk and system-involved youth that are trauma-informed.

According to the Substance Abuse and Mental Health Services Administration (SAMHSA), trauma can occur from a variety of causes: maltreatment, separation, abuse, criminal victimization, physical and sexual abuse, natural and manmade disasters, war, and sickness. Some individuals who experience trauma are able to move on with their lives, experiencing few symptoms. However, many individuals who experience trauma, especially those who experience repeated or multiple traumas, suffer a variety of negative physical and psychological effects. (Source: Leading Change: A Plan for SAMHSA's Roles and Actions 2011-2014 Executive Summary and Introduction. HHS Publication No. (SMA) 11-4629 Summary. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2011.)

There is evidence that youth in the juvenile justice system have experienced significant trauma in their lives. Recently, the Massachusetts Juvenile Court Clinic (JCC) conducted a study of Adverse Childhood Experiences (ACE) related to a selection of children seen by the JCC. Of 258 children who were given extended evaluations by the Juvenile Court Clinic from 7/1/13 – 12/31/13:

- 48.8% had experienced emotional abuse,
- 39.1% had experienced physical abuse
- 14.7% had experienced sexual abuse
- 55.4% had experienced emotional neglect
- 29.5% had experienced physical neglect
- 46.5% had a mother who was treated violently
- 55.8% experienced substance abuse in the household
- 53.9% lived with had a household member with mental illness
- 82.6% experienced parental separation or divorce, and
- 32.2% had a household member who was incarcerated.

According to SAMHSA these types of experiences often lead to mental health and co-occurring disorders such as chronic health conditions, substance abuse, eating disorders, and HIV/AIDS, as well as contact with the criminal justice system. Preventing trauma, and effectively responding to children and adults who have been traumatized can be an effective tool in preventing future health problems and criminal behavior. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 5: There is a need for a Massachusetts juvenile competency-to-stand-trial statute that recognizes the unique competency issues that confront system-involved youth in order to best protect their constitutional rights.

In Massachusetts, the adult competency-to-stand -trial (CST) statute is currently applied to juveniles. Massachusetts and other states are now considering CST legislation that is specific to juveniles. A recent study funded by the MacArthur Foundation suggests that states examine the following areas related to JCST proceedings:

- Psychological “predicates” or underlying reasons for a finding of incompetence
- Legal protections in the evaluation process
- Protection against self-incrimination
- Qualifications of the examiner
- Location of the evaluation

- Time limits for evaluation
- Content of the evaluation and report
- Remediation services
- Provision of services in the event that incompetence cannot be remediated

(Source: Juvenile Delinquency Proceedings: A Guide for Lawmakers; Kimberly Larson, Ph.D., J.D.; Thomas Grisso, Ph.D.; National Youth Screening & Assessment Project)

Efforts are underway to advocate for a statute that will address the above listed issues. This issue relates to the “Juvenile Justice System Improvement” Formula Grant Program Area.

Problem Statement 6: There is a need to promote greater use of best practices for juvenile diversion in Massachusetts counties.

Pre-arraignment juvenile diversion practices in Massachusetts vary from county to county. While most counties are making valiant efforts – that are not required by law and that are not adequately funded - to provide diversion opportunities to some non-violent, first-time offenders, it is the opinion of the JJAC that there is opportunity to expand the use of best practices - as identified by the national literature - for diversion throughout the Commonwealth. To the extent that there is room for enhancing the diversion programs that currently exist the JJAC intends to work with district attorneys’ offices and stakeholders to promote wider use of best practices such as: use of assessment and screening tools, comprehensive collection of data to monitor effectiveness, use of trained diversion staff, and enhancement of collaboration with stakeholders such as those who can provide services for diverted youth.

Youth should be able to benefit from fair and effective diversion practices regardless of which county they live in. Thus the JJAC will seek to ensure best practices for diversion across the Commonwealth and will promote amongst all counties the practices currently in use in the counties with the most comprehensive and promising programs. Where appropriate, the JJAC will support district attorney offices in their advocacy for more state funding for their programs. In addition, the JJAC has identified the “Diversion” Formula Grant Program Area as a priority under which to use Formula Grant funds should funds be available.

B. COORDINATION OF STATE EFFORTS

i. Overview of state efforts and plans to promote youth development and well-being.

Several years ago the JJAC adopted a youth development approach promoted by EOHHS to serve as a framework and philosophy for how the JJAC should approach understanding of juvenile justice issues and potential solutions. This framework was made part of the criteria for evaluating all proposals for juvenile justice grant funds over which the JJAC has authority.

With Formula Grant funding from the JJAC, DYS has sponsored and facilitated the JJAC Leadership Training Series during the winter and spring of 2015. This leadership series consists of seven half-day trainings from national experts on an array of related topics such as: adolescent brain development, positive youth justice, desistance, childhood trauma, and the use of risk

assessment tools. The last segment of the series will focus on “next steps.” Participating stakeholders involve upper management personnel and others from the juvenile court, DYS, DCF, EOHHS, CPCS, the probation department, and EOPSS. All participants have been provided with the book “Reforming Juvenile Justice: A Developmental Approach.” This book is the guiding text for the leadership series and for the values and practices that the JJAC and DYS hope to promote amongst all stakeholders who serve youth.

Many of the stakeholder leadership from the above agencies also comprise the Child Welfare and Juvenile Justice Leadership Forum. This forum serves as a space for multiple agencies to align their juvenile justice and child welfare goals under a comprehensive vision that is largely informed by a positive youth development model. While the diverse array of agencies may play different roles in the system (such as public defenders and juvenile probation officers) there is a common understanding of the need to serve youth in developmentally-appropriate ways with the common goal of ensuring their pro-social development for the benefit of their own individual success as well as for the public safety of their communities.

JDAI - initially funded several years ago with Formula Grant funds - is another initiative that has helped to bring stakeholders to the same table to learn from each other and advocate for ways to improve the juvenile justice system in the Commonwealth. This effort has reached hundreds of stakeholders such as probation officers, judges and DYS staff. DYS leads the JDAI effort.

EOHHS has recently set up several “Family Resource Centers” throughout the Commonwealth. These centers provide services on-site and/or make appropriate referrals for services for any youth and/or parent that seeks their assistance for any reason. Recognizing that family-involvement, along with positive parenting practices, are crucial to serving young people, the centers represent a holistic way for helping vulnerable children and families and an accessible path for them to get relevant services. DYS also understand the importance of family involvement and of parents and parent advocacy groups as important participants in assisting troubled youth. For instance, DYS contracts with the Parent/Professional Advocacy League to assist parents of detained youth in navigating the juvenile justice system.

Another project that is recently underway in Massachusetts is the planning and eventual creation of a multi-disciplinary professional development curriculum and course. “A Positive Youth Development Mindset: A Cross-Systems Approach” is lead by Wheelock College and School & Main Institutes. (Please see below for more discussion on this project).

Due to the penalty for non-compliance with the Separation core requirement of the JJDP ACT, the Commonwealth is unlikely to have FFY 2015 Formula Grant funds available to sub-grant to delinquency prevention and intervention programs or system improvement projects. However, the Commonwealth is now at a stage where multiple agencies, institutions and organizations are moving forward with collaborative efforts designed to inform juvenile policy and practices; simultaneously, organizations such as UTEC (discussed in Section 1A) have been expanding their direct services and positive youth development approach to working with at-risk and system-involved youth.

ii. Description of what is being done by the designated state agency to partner with non-justice system agencies and other stakeholders.

Stakeholders in Massachusetts realize the inter-relatedness of child welfare and juvenile justice matters. Many of the youth who become juvenile justice system-involved have been or will be involved in the child welfare system. The Massachusetts Juvenile Justice Specialist is a member of the Child Welfare and Juvenile Justice Leadership Forum. The forum provides a space for cross-agency sharing of ideas, problem solving, goal setting, and discussion of how the two systems intersect and can benefit from multidisciplinary coordination of values, initiatives and programming. In addition, the Juvenile Justice Specialist (as well as JJAC members) is also involved in the planning stages the joint project by Wheelock College and School & Main Institute to create a multidisciplinary, cross-system professional development curriculum and course that will enhance awareness of a positive youth development approach to working with children as well as create a space and means for networking and systems coordination.

iii. Challenges and plans to improve coordination and joint decision making.

Collaborative efforts have been gaining strength in Massachusetts over the past few years with initiatives such as JDAI, the Child Welfare and Juvenile Justice Leadership Forum, and, more recently, the project sponsored by Wheelock College and School & Main Institute which is in its beginning stages. These initiatives bring a variety of stakeholders together who serve in diverse roles within their agencies and organizations and who range from young social workers to experienced agency commissioners. Stakeholders are defining shared values and goals, most of which are aligned with a positive youth development approach to serving vulnerable youth. The challenge for the Commonwealth will be to get from the discussion and planning stages of these initiatives to the implementation of day to day programming and practices across all of the agencies, institutions and organizations that have the responsibility and opportunity to effectively assist young people. Many people serve on numerous committees which helps spread and reinforce positive youth development values among all stakeholder groups. However, clear action steps and accountability will need to be delineated and enforced in order to reap large-scale, systemic results over the upcoming years. It will be important for stakeholders to maintain motivation for continual learning and improvement as well as practical implementation of proven or promising policies and practices. The JJAC and EOPSS' staff - like others - are taking a proactive approach with regard to discussing juvenile justice priorities with various stakeholder leaders while seeking opportunities to collaborate and coordinate efforts on an array of issues as reflected, in part, below.

C. GOALS AND OBJECTIVES

PRIORITY #1: Separation of Juveniles from Adult Inmates – Court Holding Facilities

Program Area: Separation of Juveniles from Adult Inmates

Goal: Ensure that all of the Commonwealth’s court holding facilities are sight and sound compliant by December 2018.

Objectives:

1. Complete the Interdepartmental Service Agreement (ISA) between EOPSS and the Court in order to begin both renovation and non-renovation projects for facilities assessed for the first round of remedies. **June 2015.**
2. Obtain a schedule from the Court and/or the Division of Capital Asset Management and Maintenance (DCAMM) as to the estimated completion dates for the first round of remedies. **August 2015.**
3. Ensure completion of work on the first round of facilities according to schedule. **March 2016.**
4. Assess the effectiveness of the first round of remedies after they have been completed. **May 2016.**
5. Ensure completion of the planning stage of the second round of facilities. **January 2016.**
6. Determine how the second round renovation and non-renovation projects will be funded and facilitate the contracting process to the extent that JJAC/EOPSS administered funds are involved. **August 2016.**
7. Complete the ISA process for assistance with the funding of the second round of remedies. **October 2016.**
8. Obtain a schedule from the Court and/or DCAMM as to the estimated completion dates for the second round of remedies. **November 2016.**
9. Ensure completion of the second round of facilities according to schedule. **December 2017.**
10. Assess the effectiveness of the second round of remedies after they have been completed. **August 2018.**
11. Inform OJJDP and other stakeholders of progress. **Ongoing.**

PRIORITY #2: Disproportionate Minority Contact (DMC)

Program Area: Disproportionate Minority Contact

Goal: Assess, Monitor and Reduce DMC in Massachusetts with a primary focus on the “front end” of the juvenile justice system (police, schools, and diversion practices) and the following core activities:

1. Increase DMC-related training opportunities for Police;
2. Promote alternative values, policies and practices to the unnecessary use of suspension, expulsion, and arrests for school-based behavior problems;
3. Support the use of pre-arraignment diversion in urban jurisdictions and the collection of race and ethnicity data at the diversion contact point;
4. Facilitate the completion of a DMC Assessment Study.

Objectives:

1. Advocate for improved and unbiased interactions and relations between the police and youth of color:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (e.g. implicit bias, cultural proficiency, adolescent development, effective and equitable police practices, justice by geography, studies/findings/recommendations regarding police practices and problems, police-community relations, etc.) **June 2015 & ongoing.**
- b) Coordinate the Effective Police Interactions with Youth Training of Trainers. **August 2015.**
 - i. establish expectations during the TOT regarding participant responsibility for training officers in their departments and departments in their regions
 - ii. continuously encourage accountability of those trained in the TOT to regularly offer the training to officers in their regions.
- c) Conduct focus groups and/or surveys and/or forums to learn about and educate on this objective. **June 2016.**
- d) Meet with Chiefs of Police of Major Cities to explore further collaboration. **November 2015.**

2. Advocate for fair, effective and unbiased school discipline and school-based arrest policies and practices:

- a) Incorporating local, state and national information, research and develop expertise on matters related to this objective (study issues such as: how to build a positive school culture and mutual trust between students, staff and SROs; fair discipline procedures and unbiased discipline practices; studies/findings/recommendations regarding school discipline and referral practices and problems, particularly as they relate to racial/ethnic disparities, etc.). **June 2015 & ongoing.**
- b) Identify districts and schools that have the highest school exclusion and school-based arrest rates. **October 2015.**
- c) Establish connections with school personnel in key urban districts, assess their current practices and degree of need for reform, and encourage them to develop more positive, fair and effective policies and practices based on the national literature and what is working in Massachusetts school districts such as Boston. **April 2016.**
- d) Review the impact of the Boston Public Schools/Suffolk University JABG project and assess the usefulness of its model for reducing disparities. **August 2015.**
- e) Advocate for expanding the Boston Public Schools model of restorative practices in other jurisdictions if it is deemed effective. **October 2015 & ongoing.**

3. Maximize the use of pre-arraignment diversion in urban jurisdictions:

- a) Release the Diversion Study, raise awareness of its recommendations and encourage adoption of its recommendations in each jurisdiction. **October 2015.**
- b) Encourage the collection of race/ethnicity data by DA offices in order to identify racial disparities at the diversion contact point in the future. **October 2015.**
- c) Coordinate with EOHHS and DCF regarding the use of the Family Resource Centers as a diversion and services resource. **October 2015.**

- d) Encourage the development of formal, systemic relationships between the Family Resource Centers and police and DA offices in order to facilitate and maximize the use of diversion in each jurisdiction (particularly in urban areas). **December 2015.**
 - e) Assess the development and effectiveness of the Suffolk County diversion project and its potential for replication. **May 2016.**
 - f) If assessed to be effective, collaborate with the diversion project in Suffolk County to promote its practices in other counties. **September 2016.**
- 4. Complete a New DMC Assessment Study:**
- a) Conference with Court Officials and a national DMC expert as needed to create and update a work plan. **October 2015.**
 - b) Clarify information required by OJJDP to satisfy their assessment study requirements. **September 2015.**
 - c) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to have a valid and reliable dataset. **December 2015.**
 - d) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to complete a DMC analysis of the data. **May 2016.**
 - e) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to write the DMC Assessment Study. **July 2016.**
 - f) Share the DMC Assessment Study with stakeholders and promote awareness of its findings and recommendations. **October 2016.**
- 5. Advocate with the Executive Office of the Trial Court for reliable data collection (including race/ethnicity data) and regular data sharing and reporting with stakeholders and the public.**
- a) The JJAC Chair and the DMC Reduction Specialist will advocate with the EOTC about data issues, including concerns about the functioning of MassCourts, concerns about the reliability and consistency of race and ethnicity data collection, and the request of stakeholders to have data shared and made accessible to the public on a regular basis. **September 2015 & ongoing.**
- 6. Coordinate and collaborate with other agencies and groups working on DMC issues, such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum. Ongoing.**
- 7. Assess the potential value of a Juvenile Bail Statute based on validated J-PAST factors.**
- a) Get feedback from key stakeholders (including those who constitute the Child Welfare and Juvenile Justice Leadership Forum) regarding their thoughts on the potential value of a Juvenile Bail Statute based on the validated J-PAST factors, including concerns about potential unintended consequences. **January 2016.**

PRIORITY #3: Juvenile Justice Data

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for comprehensive, reliable and consistent juvenile justice data collection, sharing among stakeholders, and public reporting by all key juvenile agencies and institutions in order to inform effective public policy.

Objectives:

1. Identify data and organizations responsible for data that should be available at each decision point in the juvenile justice system. **August 2015.**
2. Identify currently available juvenile justice data and the entity responsible for the data. **September 2015.**
3. Identify missing data, determine if it is collected and, if so, by whom; if not collected, identify the entity that should collect said data. **September 2015.**
4. Meet with Governor and Court Administrator of the Massachusetts Trial Court (or key representative) to educate the Governor's Office and the Administrative Office of the Juvenile Court regarding the need for data to inform juvenile justice practice, policy and program development. **November 2015.**
5. Convene a meeting of stakeholders to: educate about the need for data; identify systemic obstacles to the production of data; brainstorm strategies to remove obstacles to data production; and secure commitment to provision of identified data on a regular basis. **February 2016.**
6. Successfully define what a comprehensive, reliable and consistent Massachusetts juvenile justice data system looks like inclusive of what each agency is responsible for collecting and reporting. **April 2016.**
7. Assess the feasibility of creating and implementing the data system identified in Objective 6 and begin advocacy for such a system or the next best feasible alternative. **June 2016.**

PRIORITY #4: Trauma-Informed Practices

Program Area: Juvenile Justice System Improvement

Goal: Successfully promote and support trauma- informed juvenile justice practices at each stage of the juvenile justice system.

Objectives:

1. Develop JJAC member understanding of the intersection between trauma and juvenile delinquency. **October 2015.**
2. Develop JJAC expertise of best practices for trauma-informed services. **October 2015 & ongoing.**
3. Promote understanding among stakeholders of the intersection between trauma and juvenile delinquency.
 - a. Gather information from DYS, DCF and the Department of Mental Health (DMH) about their use of trauma-informed services. **September 2015.**
 - b. Promote the use of best practices for trauma-informed services by establishing a web-enabled/web-based resource list for practitioners, policy makers and the general public. **January 2016.**
 - c. Develop a strategy to help inform professionals, policy makers and the general public about trauma-informed tools and resources. **January 2016.**

- d. Support interagency agreements with other state and/or national trauma-informed training and research groups to ensure that resources are kept up to date, new research is translated to practice, and to help leverage Massachusetts state resources. **January 2016 & ongoing.**

PRIORITY #5: Juvenile Competency

Program Area: Juvenile Justice System Improvement

Goal: Successfully advocate for passage of a comprehensive juvenile competency to stand trial statute in the current state legislative session.

Objectives:

1. Rely on the expertise of the JJAC to advise legislators and stakeholders as to the best practices regarding juvenile competency and attainment so that legislation is passed within the current legislative session. **June 2015.**
2. Provide oral testimony and/or submit written testimony regarding the bill(s) if deemed constructive. **TBD based on legislative process.**

PRIORITY #6: Juvenile Diversion

Program Area: Diversion

Goal: Successfully promote the expanded use of effective pre-arraignment juvenile diversion practices in the Commonwealth, especially in communities of color.

Objectives:

1. Consult strategically with the Massachusetts District Attorneys' Association (MDAA). **August 2015.**
2. Release the Diversion Study. **September 2015.**
3. Promote awareness of the findings and recommendations among DAs, DA diversion staff and other stakeholders within 60 days of consulting with the President of MDAA and other District Attorneys. **October 2015.**
4. Advocate for the implementation of the Diversion Study recommendations (and other potential improvements) among DA offices within 90 days of the release of the report. **December 2015.**

D. IMPLEMENTATION (Activities and Services)

Note: Please see the “Goals and Objectives” section above for the clearest delineation of the activities (reflected within the objectives) that will be pursued during this grant period for each of the identified priorities. Below is a general, narrative description of the activities and other efforts that will be engaged in to improve Massachusetts juvenile justice system.

In order to regain compliance with the “Separation of Juveniles from Adult Inmates” core requirement of the JJDP ACT, the Commonwealth’s Court Holding Facility Working Group –

consisting of stakeholders including: the Executive Office of the Trial Court (EOTC), the Division of Capital Asset Management and Maintenance (DCAMM), the Executive Office of Public Safety and Security (EOPSS), the Juvenile Justice Advisory Committee (JJAC) and the Department of Youth Services (DYS) as well as an architectural firm retained by DCAMM – will continue to meet regularly to manage the project. Remedies for the first round of court holding facilities will be implemented shortly. The planning phase for the second round of facilities will also proceed shortly. This is a long term project which we expect will be fully completed by December 2018.

For a description of DMC-related activities that the JJAC and EOPSS will implement please see the detail provided in the preceding sections as well as the DMC Plan as described in the Compliance and Compliance Monitoring sections of the Three Year Plan. DMC is a major priority, not just for the JJAC and EOPSS, but for other state agencies, institutions and initiatives such as DHS, JDAI, the EOTC, Citizens for Juvenile Justice (CfJJ), the Youth Advocacy Division of the Committee for Public Counsel Services, the Office of the Commissioner of Probation and others. The Child Welfare and Juvenile Justice Leadership Forum – consisting of leadership from the above listed stakeholders – meets regularly and is focusing collaborative efforts on assessing and reducing DMC. Efforts to reduce DMC by the DMC Reduction Specialist will focus primarily on the “front-end” of the juvenile justice system. For example, police officers from major Massachusetts’ cities will participate in the Effective Police Interactions with Youth Training of Trainers and will be expected to conduct trainings in their regions of the Commonwealth in the future.

There have been some difficulties obtaining comprehensive, complete and reliable juvenile justice data in Massachusetts. Currently, the data system used by the court system is not fully operational. This problem hinders the ability to supply full DMC data to OJJDP and the deficits in data regarding the characteristics of court-involved youth compromises efforts to make data driven funding and policy decisions. The JJAC and EOPSS have communicated concerns to the EOTC of the critical and immediate need to have a fully operational system as soon as possible. A comprehensive mapping of available data and data gaps will take place in the Fall 2015. The JJAC, EOPSS and other stakeholders will work collaboratively to develop strategies to remove obstacles to access of important data and will put forward a model of the best forms of data collection and reporting that can realistically be implemented in Massachusetts in the near future.

While most juvenile justice stakeholders recognize that client trauma is an important issue to comprehend when serving at-risk and system-involved youth it is not clear to what extent stakeholder initiatives, policies and services are trauma-informed. Thus, the JJAC and EOPSS staff will seek to assess the current state of trauma-informed practices in the Commonwealth. We will educate ourselves and others on the intersection of trauma and juvenile justice and trauma-informed practice through activities such as soliciting experts to train interested stakeholders on the matter. After assessing the state of trauma-informed practices in the Commonwealth, the JJAC and EOPSS will advocate and promote specific policy and practice changes where necessary. The JJAC intends to serve as a resource for educating stakeholders on best practices associated with trauma-informed practice.

Currently, there is a bill pending in the state legislature for the creation of a juvenile competency-to-stand-trial statute. The JJAC is in the process of gathering information on the bill

and determining how it may be improved. The JJAC, as it did in the previous legislative session, may submit written and/or oral testimony relating to the need for a juvenile competency statute and specific elements that should be addressed in it in order to ensure legislation that addresses the uniqueness of juvenile competency issues and establishes best practice requirements to protect the constitutional rights of juveniles.

The JJAC intends to promote the expanded use of pre-arraignment juvenile diversion practices, particularly practices that have been identified as best practices in the national literature on the topic. The focus will be on working with district attorneys' offices and the Massachusetts District Attorneys' Association to enhance their current practices where beneficial.

E. PLANS FOR COMPLIANCE AND MONITORING

PLAN FOR COMPLIANCE WITH THE FIRST THREE CORE REQUIREMENTS OF THE JJDP ACT AND THE STATE'S COMPLIANCE MONITORING PLAN

(1) Plan for De-institutionalization of Status Offenders (DSO)

Massachusetts General Law (MGL) Chapter 119, Sections 39H (as amended) prohibits the secure confinement of status offenders in municipal lockups, jails, houses of correction, and adult correctional institutions. As of November 5, 2012 the Child Requiring Assistance (CRA) law prohibits police from bringing status offenders to police department facilities. Police officers may take a child into protective custody and bring the child directly to juvenile court, without bringing the child to the police department first, between the hours of 08:00am and 4:30pm. A child taken into protective custody may not be shackled at any time.

Warrants for custodial protection do not enter into the warrant management system or any other criminal record information system, which means that police on the streets often do not know if a child is a runaway or has failed to obey a summons. Police departments are contacted directly by court/probation officials and directed to take a child into custody, if needed, and transport to juvenile court. Police departments may only act on and enforce the order between 08:00am and 4:30pm.

On November 21, 2014 the Massachusetts Executive Office of Health and Human Services started a new program to assist police officers that encounter runaways during the hours that juvenile court is closed (evenings, weekends and holidays). After consultation with probation, and if the police officer determines a child cannot be safely delivered to a parent or other responsible adult including the Department of Children and Family (DCF), the police officer may call the 2-1-1 hotline and request assistance. DCF personnel will then be dispatched to meet the police officer and the child at a location other than a police department. The child is taken to one of the twenty-three non-secure Emergency Service Program (ESP) locations strategically located around the state.

An analysis of the Commonwealth's Deinstitutionalization of Status Offenders (DSO) rates between 2012 and 2014 shows a decrease in the Commonwealth's DSO violation rates. In 2014 the Commonwealth registered three DSO violations. This decrease is attributable to many factors including but not limited to: a change in the Commonwealth's status offender law that prohibits police from bringing status offenders to police stations; increased awareness surrounding the holding of status offenders as a result of compliance monitoring handouts; operation of twenty-three Emergency Service Programs across the state to accommodate runaways, mass informational emails and statewide site visits; improved data reporting from municipal police departments; and changes in the manner OJJDP requires states to report data on Minors in Possession of Alcohol as of March 2011. Historically, the majority of Massachusetts DSO violations in adult lockups were a result of Minor in Possession of Alcohol cases that are considered delinquent offenses by Massachusetts law.

In its review of the Commonwealth's 2013 Compliance Monitoring Report, OJJDP found the Commonwealth to be in full compliance with the de-institutionalization requirements of Section 223 (a)(11) of the JJDP Act. To maintain compliance the Compliance Monitor will strive to visit 100% of Department of Youth Service (DYS) facilities, adult lockups, jails, and houses of correction every three years. During site visits, data for the corresponding monitoring year will be reviewed to determine if status offenders were held in violation of the JJDP Act.

To further supplement this measure, facilities that do not report admission logs electronically provide annual certification forms to the Compliance Monitor articulating if status offenders were held, where status offenders were held, and for what length of time if applicable. These forms allow the Commonwealth to monitor facilities statewide until a site visit can be made. As with prior years, the JJAC will be informed of compliance monitoring activities via bi-monthly meetings and through the JJAC Compliance Subcommittee.

(2) Plan for Separation of Juveniles from Adult Offenders

MGL Chapter 119, Section 67, restricts the detention of juveniles to DHS approved juvenile cells while in adult lockups. DHS inspection guidelines emphasize the importance of sight and sound separation of juvenile offenders from adult offenders as well as safety standards relating to the layout of cells and their contents.

Between 2009 and 2014 the Commonwealth reported an increase in its separation violations. This increase was attributable to expansion of the monitoring universe as the Commonwealth was asked by OJJDP to identify courthouses that violate or have the potential to violate the sight and sound separation requirement of the JJDP Act as may be the case particularly with the Commonwealth's numerous antiquated facilities. In its current format the JJDP Act does not have a de-minimis exception for "separation" and any report greater than zero can lead to a state being found out of compliance with the separation requirement of the JJDP Act.

In its review of the Commonwealth's 2012 and 2013 Compliance Monitoring Report, OJJDP found the Commonwealth was not in compliance with Section 223 (a)(12) of the JJDP Act. Efforts are under way to re-establish compliance with JJDP Act. A working group – the Court Holding Facilities Working Group – has met on a monthly basis since August 2012. This group consists of the Executive Office of the Trial Court (EOTC), the Division of Capital Asset

Management and Maintenance (DCAMM), the Executive Office of Public Safety and Security (EOPSS), the JJAC, and the Department of Youth Services (DYS). This group has visited all of the relevant and potentially problematic court holding facilities and has identified potential solutions (or ways of at least mitigating sight and sound violations). An architectural firm was contracted to develop plans for remedying in twelve of the non-compliant facilities. The firm and the working group re-visited the twelve facilities in order to develop individualized plans for each site. Two of the facilities will serve as pilot projects to test the use of sound-reducing curtains aimed at preventing and/or mitigating Separation violations. Ten of the facilities have been identified for renovation. The first phase of architectural plans has been completed. At this time, EOPSS Office of Grants and Research (OGR) has issued four contracts to the Executive Office of the Trial Court (EOTC) to begin implementing the recommendations made by architectural firm and approved by the Working Group. A total of \$426,350 Title II Formula Grant funds have been awarded to the EOTC to help remedy the separation problems in the court holding facilities.

The Court Holding Facilities Working Group and a contracted architectural firm will visit the 26 remaining non-compliant courts starting July 1, 2015. Individualized plans to achieve improved separation of juveniles from adults in each court house will be developed and implemented.

The Court Holding Facilities working group will continue to meet periodically to ensure completion of remedies for the second round of facilities by December 2017.

Goal: Ensure that all of the Commonwealth's court holding facilities are sight and sound compliant by December 2018 in order to achieve and maintain full compliance with Section 223 (a)(12) of the JJDP Act.

Objectives

1. Complete the Interdepartmental Service Agreement (ISA) between EOPSS and EOTC in order to begin both renovation and non-renovation projects for facilities assessed for the first round of remedies. **June 2015.**
2. Obtain a schedule from EOTC and/or DCAMM as to the estimated completion dates for the first round of remedies. **August 2015.**
3. Ensure completion of work on the first round of facilities according to schedule. **March 2016.**
4. EOPSS staff will assess the effectiveness of the first round of remedies after they have been completed. **May 2016.**
5. Ensure completion of the planning stage of the second round of facilities. **January 2016.**
6. Determine how the second round renovation and non-renovation projects will be funded and facilitate the contracting process to the extent that JJAC/EOPSS administered funds are involved. **August 2016.**

7. Complete the ISA process for assistance with the funding of the second round of remedies. **October 2016.**
8. Obtain a schedule from EOTC and/or DCAMM as to the estimated completion dates for the second round of remedies. **November 2016.**
9. Ensure completion of the second round of facilities according to schedule. **December 2017.**
10. EOPSS staff will assess the effectiveness of the second round of remedies after they have been completed. **August 2018.**
11. Inform OJJDP and other stakeholders of progress. **Ongoing.**

(3) Plan for Removal of Juveniles from Adult Jails and Lockups

Throughout the Commonwealth, the operators or custodians of adult jails and lockups have been educated on the importance of removing juveniles from lockups in accordance with applicable state law as well as in compliance with the JJDP Act. This has been accomplished through years of joint education by the JJAC and EOPSS, statewide compliance monitoring site visits, technical assistance, and electronic communication to law enforcement officials regarding the core components of the JJDP Act.

An analysis of the Commonwealth's Jail Removal statistics between 2012 and 2014 showed a decrease in the number of violations. The Commonwealth registered six Jail Removal violations in calendar year 2014. This decrease is likely attributable to a few factors including but not limited to: sustained educational outreach through compliance monitoring site visits; technical assistance and correspondence; improved and consistent data entry from municipal police departments; and, perhaps, less officer turnover thereby resulting in a higher number of experienced and knowledgeable officers who handle juvenile cases.

In its review of the Commonwealth's 2013 Compliance Monitoring Report, OJJDP found the Commonwealth to be in full compliance with the Jail Removal core requirement of Section 223 (a)(13) of the JJDP Act. To maintain compliance the Compliance Monitor will strive to visit 100% of adult lockups and jails every three years to monitor and educate departments and prevent future violations. Data will continue to be collected and written information will be disseminated to inform entities of what is necessary to attain and maintain compliance.

To date "six-hour rule" violations are the most common jail removal violations experienced in the Commonwealth. These violations are attributable to reasons such as: transportation related delays, complications with youth who may require medical attention, delays in parents/guardians arriving at the station to pick up the juveniles, and a lack of knowledge of the officer on duty with regard to the requirement.

In an effort to comply with the six-hour rule a system of secure and non-secure Alternative Lockup Programs (ALPs) exists throughout the Commonwealth to allow police departments to remove juvenile detainees from departments within the six hour limit. These ALPs are used for

detaining youth after arrest and prior to their initial court appearance which is typically the next day except during weekends and holidays.

Rural Removal Exception

The Commonwealth does not utilize this exception.

Transfer or Waiver Exception

In Massachusetts juveniles who fall within adult criminal court jurisdiction are those who are 14 and older and have been charged with murder. This exception would only be utilized under this circumstance.

To maintain full compliance with Section 223 (a)(13) of the JJDP Act, Massachusetts will continue to educate lockups through site visits, technical assistance correspondence and the dissemination informational materials.

(4) Plan for Compliance with the First Three Core Requirements of the JJDP Act

Massachusetts Executive Order 522 authorizes EOPSS to administer the Commonwealth's plan for compliance with the JJDP Act's core requirements. EOPSS receives, reviews, and verifies compliance monitoring data from all facilities in the Commonwealth capable of securely detaining a juvenile offender. EOPSS also inspects the facilities within the Commonwealth's monitoring universe. The EOPSS Compliance Monitor is an expert on juvenile detention issues and is available to conduct trainings for all levels of law enforcement, probation, and juvenile detention workers to ensure the highest level of understanding of the core requirements of the JJDP Act.

(1) Policy and Procedures. Please see the attached compliance monitoring manual.

(2) Monitoring Authority. Please see the attached Executive Order that authorizes EOPSS to administer the Commonwealth's plan for compliance with the JJDP Act's core requirements.

(3) Monitoring Timeline. Please see the attached timeline.

(4) Violation Procedures. When a violation is discovered at any facility in the monitoring universe the following steps are taken: the facility is asked to submit a letter on facility letterhead; the letter should reference specific case(s) (i.e. charge, date, time, secure/non-secure hold); the letter should provide a detailed explanation of what occurred and why; the letter should conclude with an explanation of what corrective action has and/or will take place (e.g., training for officers, disciplinary action, re-writing policies and procedure, posting relevant handouts, etc.) as well as include a statement confirming that the event that occurred was a violation of the department's current policies and procedures. In addition, adult lockups found to have a violation are visited the following year.

(5) Barriers and Strategy. There are two areas of particular difficulty relating to compliance monitoring in Massachusetts. The first pertains to sight and sound separation concerns in the Commonwealth's court holding facilities. This matter and possible strategies are addressed in Section (2). The other challenge is the number of sites that must be visited in order to meet the goal of visiting 100% of the monitoring universe every three years with the current resources. Despite the best efforts of the Compliance Monitor, the large quantity of facilities (approximately six hundred) that comprise the monitoring universe make it challenging to visit all facilities. As time allows EOPSS has made available the Juvenile Justice Specialist to assist in compliance visits.

(6) Definitions of Terms

Adjudication: A finding by a judge or jury in a delinquency case that a child is delinquent, or in a youthful offender case that a child is a youthful offender.

Executive Office of the Trial Court: The state agency charged with the administration of the statewide Trial Court system.

Administrative Probation: A period of probation that is not supervised by a probation officer.

Alternative Lockup Program (ALP): Facility where juveniles who are detained after arrest are held prior to initial court appearance.

Alternative Placement: Out-of-home placements for children removed from their homes by the Department of Children and Families (DCF) (such as foster care and residential care.)

Arraignment: Initial court appearance in which the defendant is informed of the charges and enters a plea of not delinquent.

Arrest Rate: The number of arrests per a certain population. See "juvenile arrest rate."

Assessment: Evaluation of a child committed to DYS that determines the child's psychosocial history and needs to help guide treatment plans.

Bail: The amount of money – determined by a judge or magistrate and meant to ensure the defendant's appearance in court – that must be given to the court in order for the defendant to be released from custody pending the outcome of the case. The bail money is given back to the person who posted it if the defendant appears for all court appearances.

Binge Drinking: Five or more alcoholic drinks in a row, within a couple of hours, in the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Care and Protection: Proceeding in juvenile court whereby placement – such as foster care - of a child believed to be abused or neglected is determined based on the best interests of the child and their health and safety.

Census of Juveniles in Residential Placement (CJRP): Contains a collection of nationwide data detailing the characteristics (age, sex, race/ethnicity, offense, type of facility, and placement status) of juvenile offenders in residential placement facilities.

Children's Defense Fund: A national advocacy organization for children.

Child Requiring Assistance (CRA): The status offender law that provides means by which the Commonwealth may assist children who persistently runaway or disobey home rules, or who persistently fail to attend school or disobey school rules.

Civil Commitment: The hospitalization of a person with mental illness who poses a danger to the public due to their illness; or, the hospitalization of someone who has a severe substance abuse problem and is likely to cause serious harm.

Citizens for Juvenile Justice (CFJJ): A non-profit organization in Massachusetts that seeks to improve the juvenile justice system through advocacy and public education.

Coalition for Juvenile Justice (CJJ): A national resource on delinquency prevention and juvenile justice issues comprised of volunteers nationwide consisting of professionals, concerned citizens, and advocates for children and families that participate as members of state advisory groups on juvenile justice.

Commitment to DYS: A delinquency or youthful offender disposition in which the juvenile is committed to the Department of Youth Services until age 18 or age 21 respectively.

Committee for Public Counsel Services (CPCS): Massachusetts state agency that provides legal representation for indigent defendants – adults and juveniles – charged with crimes.

Community Corrections Centers: A full range of treatment, education, drug testing, electronic monitoring, and community service programs for offenders run by the probation department in partnership with various sheriffs' departments. Two exist for juveniles.

Community Service: One possible condition in the disposition of a case that requires the juvenile to do some form of service work such as helping to clean a public park.

Complaint: The manner by which a juvenile is charged with having committed a delinquent act.

Continuance Without A Finding (CWOFA): A form of probationary disposition the successful completion of which will lead to the case being dismissed without a delinquency adjudication.

Court Reorganization Act of 1992: The act that authorized the establishment of a statewide Juvenile Court in Massachusetts.

Current Alcohol Use: One or more alcoholic drinks on at least one of the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Current Drug Use: Use of a drug on at least one of the 30 days before the survey (from the Massachusetts Youth Risk Behavior Survey).

Dangerousness Hearing: A hearing to determine if the defendant should be detained without the opportunity for bail pending the resolution of the case because the defendant is alleged to pose a danger to the community.

Day Reporting Center (DRC): DYS community-based centers that provide counseling, supervision and other forms of treatment and monitoring for juveniles who have been committed to DYS and released from residential placement.

Delinquent: A child between the ages of 7 and 18 who has been adjudicated delinquent as a result of breaking a state law, a city ordinance, or a town by-law.

Department of Children and Families (DCF) (formerly the Department of Social Services): The state agency charged with the responsibility of protecting children from child abuse and neglect.

Department of Elementary and Secondary Education (DESE): The state agency charged with overseeing public education in Massachusetts.

Department of Public Health (DPH): The state agency charged with seeking to promote healthy people and communities, particularly for the underserved.

Department of Youth Services (DYS): Statewide agency responsible for the administration of secure detention facilities, residential commitment facilities, and a range of community-based treatment and monitoring programs for accused and/or delinquent youth.

Detention: The holding of a child charged with an offense in custody pending the posting of bail or resolution of the case.

Discharge: Point at which DYS no longer has supervision over a committed child.

Disproportionate Minority Contact (DMC): The overrepresentation of minority youth in the juvenile justice system at all points in the juvenile justice process.

District Attorney's Office: Prosecutor agencies organized by county. The District Attorney is the public's elected advocate whose primary responsibility is to ensure that youth and adults who violate the law are held accountable for wrongdoing.

District Court: The branch of statewide court system that has jurisdiction over criminal matters and a variety of civil matters. Juvenile sessions are held in district courts in some jurisdictions.

Executive Office of Public Safety and Security (EOPSS): The state agency that plans and oversees the Commonwealth's public safety efforts, including compliance with the JJDP Act, by supporting, supervising, and providing planning and guidance to a variety of Massachusetts public safety agencies, boards and commissions.

Massachusetts Children's Trust Fund: Children's Trust Fund (CTF) leads statewide efforts to prevent child abuse and neglect by supporting parents and strengthening families. CTF reaches families across Massachusetts. They fund over 100 family support and parenting education programs in communities throughout Massachusetts. Some of the programs they offer for parents include Parenting Education and Support Groups, Massachusetts Family Centers, and Healthy Families, which provides home visiting specifically for first-time parents under age 21.

Formal Field Investigation: An encounter in the community between the police and a civilian in which the police gathers information from the civilian such as name, address, etc. and possibly asks the individual questions relating to the investigation of a crime.

Index Crimes: (see Part I Crimes).

Indictment: Process by which a juvenile is charged with a crime as a youthful offender.

Investigative Detention: The detention of an individual by the police, without a formal arrest, with the intention of interrogating the individual for the purposes of investigating a crime.

Jurisdiction: The persons about whom and the subjects about which a court has the power to make legally binding decisions; or, the geographical area within which a court has the right and power to operate.

Juvenile: In Massachusetts, a child between the ages of 7 and 18.

Juvenile Arrest Rate: In this document, the juvenile arrest rate is the number of arrests of individuals under the age of 18 per 100,000 individuals in the general population (adult and juvenile).

Juvenile Court: The branch of the statewide court system that has jurisdiction over delinquency, Child Requiring Assistance (CRA), care and protection petitions, adult contributing to a delinquency of a minor cases, adoption, guardianship, termination of parental rights proceedings, and youthful offender cases.

Juvenile Court Clinics: Statewide system of court-based mental health clinics.

Juvenile Justice Advisory Committee (JJAC): Massachusetts' State Advisory Group that is appointed by the Governor and charged with the responsibility to fund programs that implement Juvenile Justice and Delinquency Prevention Act goals, coordinate juvenile justice and delinquency prevention efforts in the Commonwealth and provide policy recommendations to the Governor and state legislators.

Juvenile Justice and Delinquency Prevention Act (JJDP): The federal act that provides the major source of federal funding to improve states' juvenile justice systems.

Massachusetts General Laws: Massachusetts legal statutes.

Minor in Possession of Alcohol: In Massachusetts Minors in Possession of Alcohol with no attached delinquency are considered delinquent offenders not status offenders.

National Center for Juvenile Justice: A private, non-profit organization that serves as a resource for independent and original research on topics related directly and indirectly to the field of juvenile justice.

National Household Survey on Drug Abuse: A survey that measures the prevalence of use of illicit drugs, alcohol, and tobacco products, as well as the nonmedical use of prescription drugs in the United States.

Office of the Commissioner of Probation: State agency that oversees the probation departments across the state. Part of the Court System in Massachusetts.

Operation Night Light: Partnership between police and probation officers whereby they conduct curfew checks of juvenile probationers in the community.

Office of Juvenile Justice and Delinquency Prevention (OJJDP): Part of the federal Department of Justice, OJJDP provides grant money and supports states and communities in their efforts to develop and implement effective and coordinated juvenile prevention and intervention programs and improve their juvenile justice systems.

Part I Crimes: Also referred to as index crimes, Part I Crimes include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, arson, and motor vehicle theft.

Part II Crimes: Include other assaults, forgery and counterfeiting, fraud, embezzlement, buying/possessing stolen property, vandalism, weapons carrying/possessing, prostitution, sex offenses, drug abuse violations, gambling, offenses against family/children, driving under influence, liquor law violations, drunkenness, disorderly conduct, vagrancy, and all other offenses.

Population-Based Rates: Rates created per a specific number of individuals in the general population.

Probable Cause: The minimum degree of evidence necessary for an officer to arrest an individual or for the individual to be charged with a crime.

Probation: A type of disposition for a specified period of time during which the juvenile must follow conditions set by the court or else face harsher sanction.

Protective Custody: The detention of an individual, often for mental health reasons, for the individual's own safety whether or not the individual wants it.

Protective Factor: Something that decreases the potential harmful effect of a risk factor.

Recidivism: The commission of a crime by a juvenile who has already been adjudicated a delinquent or a youthful offender on a prior matter.

Relative Rate Index (RRI): Compares “rates” for minority youth to those of white youth (e.g. rates at which youth are detained). It is computed by dividing minority rates by white rates. If the rate for minority youth is equal to those of white youth, the relative rate index is a “1”. The higher the RRI, the more overrepresentation of minorities exists.

Residential Placement: Concerns children who have been committed to DYS and are sent to a DYS secure facility for treatment and public safety. Can also refer to DCF placement of children, who have been ordered into their custody by the court for CRA or Care and Protection reasons, in DCF residential programs.

Risk Factor: Anything that increases the probability that a child will engage in delinquent behavior.

Risk/Need Probation: A supervised form of probation that has varying levels of supervision depending on assessment of the child’s risks/needs.

Runaway: A CRA category referring to children who have a history of running away from home.

School Exclusions: The removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days.

Secure Treatment: Residential placement of a child committed to DYS in a locked or staff secure DYS facility for the purposes of treatment and public safety.

Status Offenses: Offenses committed by juveniles, which are not illegal for adults (such as curfew violations or underage drinking.)

Stubborn Child: A CRA category referring to children who persistently disobey home rules.

Student Exclusion: The removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could be permanent or indefinite.

Suspended Sentence (delinquency): A commitment to DYS that is suspended for a probationary period determined by a judge upon successful completion of which the delinquent will not be sent into DYS custody.

Suspended Sentence (youthful offender): A commitment to either a House of Correction or a state prison suspended for a probationary period determined by a judge upon successful completion of which the youthful offender will not be sent into custody.

Truant/School Offender: A CRA category referring to children who are persistently absent from school or violate school regulations.

Youth Risk Behavior Survey (YRBS): Monitors adolescent risk behaviors related to the

leading causes of morbidity and mortality among youth and adults including behaviors such as tobacco, alcohol, and other drug use; behaviors related to intentional and unintentional injuries; high-risk sexual behaviors; poor dietary patterns; and lack of physical activity.

Youthful Offender: *A person who is subject to an adult or juvenile sentence for having committed, while between the ages of fourteen and eighteen, an offense against a law on the commonwealth, which, if he [or she] were an adult, would be punishable by imprisonment in the state prison [i.e., a felony] and (a) has previously been committed to the Department of Youth Services or (b) has committed an offense which involves the infliction or threat of serious bodily harm in violation of law, or (c) has committed a violation of [G.G. c. 269, § 10(a)(c), (d), G.L.c.269, § 10E (firearm offenses)].*

(7) Identification of the Monitoring Universe. EOPSS has identified approximately six hundred facilities within the Commonwealth that have the potential to securely detain juvenile offenders pursuant to public authority. The monitoring universe encompasses: all state and municipal police departments; colleges/universities public safety departments; DYS facilities; department of corrections facilities; all county operated houses of correction and jails, and court holding facilities. By way of executive order, EOPSS is the agency responsible for monitoring the level of compliance with the core requirements of the JJDP Act. EOPSS does not include non-secure shelter care facilities in the monitoring universe because state law requires these facilities be overseen by the Department of Children and Families (DCF). DCF mandates that all shelter care facilities maintain a non-secure setting. EOPSS maintains a close working relationship with DCF to ensure its programs abide by this requirement.

(8) Classification of Facilities. EOPSS has classified all facilities within the monitoring universe in accordance with the guidelines set forth by OJJDP.

(9) Inspection of Facilities. Each year, EOPSS staff conduct site visits to a minimum of 10% of facilities in the monitoring universe. These inspections include a thorough review of juvenile arrest and detention records to verify facility's compliance with the jail removal and status offender mandates, as well as a tour of the facility to ensure sight and sound separation. As needed, EOPSS will conduct additional site visits to those facilities experiencing difficulty with timely data reporting or compliance issues. EOPSS strives to visit 100% of facilities every three years.

(10) Data Collection and Verification. EOPSS has implemented a comprehensive data collection system to ensure facilities in the Commonwealth are operating in compliance with the JJDP Act. All adult lockups maintaining juvenile detention cells must report electronically to EOPSS on a monthly basis every juvenile that was securely detained in their facility. This requirement is part of the subgrant conditions for those departments that have contracts with EOPSS. This monthly reporting details the juvenile's age, offense, and time of detention and release. The remaining facilities in the monitoring universe are required to submit annual documentation certifying their level of compliance. The Compliance Monitor reviews monthly and annual reporting data and verifies it for accuracy during site inspections. Any facility found to be operating in non-compliance of the JJDP Act is contacted and visited. EOPSS prepares a full 12 months of data for its annual compliance monitoring report.

PLAN FOR COMPLIANCE WITH THE DISPROPORTIONATE MINORITY CONTACT (DMC) CORE REQUIREMENT

Phase I: Identification

DMC Identification Spreadsheets

Please see the attached DMC Web-based Data Entry System spreadsheets. However, please note that the analysis below is based on population-based relative rate indices (RRIs) (also attached).

DMC Data Discussion

Data Issues

- Arrest data for 2013 and 2014 is currently unavailable; arrest data in general is unreliable because some jurisdictions do not count Latinos as a separate group and many are likely identified as White thereby creating RRIs that are inaccurate (lower than they would be if Latinos were consistently counted as a separate group)
- Data on “Cases Diverted” is currently unavailable and data for some of the other contact points is not consistently available for each year
- The number of “Cases Transferred to Adult Court” – which in Massachusetts are only Youthful Offender murder cases – are low in volume and therefore do not necessarily produce reliable and useful RRI information
- Data is unavailable for American Indian/Alaska Native and Native Hawaiian/Pacific Islanders
- “Asian” encompasses several ethnicities for which ethnic-specific data is not currently available; some Asian ethnicities may be over-represented in the juvenile justice system but Asians as a singular group are generally under-represented
- The data is based on duplicated counts

Statewide Population-based RRIs: 2012 – 2014

- ❖ From 2013 to 2014 the RRIs for Blacks and Latinos increased in all contact points for which there is data
- ❖ Between 2012 and 2014 the Black Detention RRI was 7.00 or above every year with an average of 7.33
- ❖ The average Latino Detention RRI from 2012 – 2014 was 5.46
- ❖ From 2013 to 2014 the Black Commitment RRI jumped from 6.50 to 9.00 and averaged 7.33 from 2012 - 2014
- ❖ From 2012 to 2014 the Latino Commitment RRI jumped from 3.14 to 6.50 and averaged 5.21
- ❖ Asian RRIs were consistently well below 1.00 in all contact points for which there is data
- ❖ Youthful Offender Murders: 2012 had 5 murders (3 Black, 2 Latino); 2013 had 6 murders (4 Latino, 1 Black, 1 White); 2014 had 5 murders (2 Black, 2 Latino, 1 White)
- ❖ The average Latino Detention and Commitment rates were higher than those of 2008 – 2011

- ❖ The average Black Detention rate was higher than that of 2008 – 2011
- ❖ The general trend reveals an increase in disparities for Blacks and Latinos when compared to past Three Year Plan data submissions

Essex County Population-based RRI: 2012 – 2014

- ❖ 2014 saw a sharp increase in both the Black Commitment RRI (13.00) and the Latino Commitment RRI (12.00)
- ❖ In 2014 Blacks had the highest Complaint (Referrals), Detention, Delinquent Finding and Commitment (Confinement) RRI
- ❖ The average Black Detention RRI from 2012 – 2014 was 4.62 and the average Latino Detention RRI was 3.50
- ❖ The average Black Commitment RRI from 2012 – 2014 was 5.83 and went from 0 in 2012 to 13.00 in 2014
- ❖ The average Latino Commitment RRI from 2012 – 2014 was 7.17 and went from 3.00 in 2012 to 12.00 in 2014
- ❖ While Asian RRI are generally below 1.00 at most contact points the Asian Commitment RRI in 2014 was 4.38
- ❖ Youthful Offender Murders: 2012 had no murders; 2013 had 1 murder (1 White); 2014 had 2 Murders (1 White, 1 Black)

Suffolk County Population-based RRI: 2012 – 2014

- ❖ RRI for Blacks are consistently higher in Suffolk County compared to the state average
- ❖ The average Black Detention RRI from 2012 – 2014 was 9.18
- ❖ The average Latino Detention RRI from 2012 – 2014 was 7.92
- ❖ The average Black Commitment RRI from 2012 – 2014 was 11.72 with a high in 2012 of 15.67
- ❖ The average Latino Commitment RRI from 2012 – 2014 was 5.18
- ❖ Youthful Offender Murders: 2012 had 4 murders (3 Black, 1 Latino); 2013 had 1 murder (1 Latino); 2014 had no murders

Worcester County Population-based RRI: 2012 – 2014

- ❖ Worcester County RRI were generally lower than the state average
- ❖ The average Black Detention RRI from 2012 – 2014 was 5.14
- ❖ The average Latino Detention RRI from 2012 – 2014 was 5.08
- ❖ The average Black Commitment RRI from 2012 – 2014 was 4.44
- ❖ The average Latino Commitment RRI from 2012 – 2014 was 4.89
- ❖ Asian RRI were significantly below 1.00 at all contact points for which there is data
- ❖ Youthful Offender Murders: From 2012 – 2014 there were no YO Murders in Worcester County

Population-Based RRI Analysis Tracking Sheets 2014

Code: S = statistically significant; M = magnitude of RRI, V = volume of RRI; Cm = comparative with other jurisdictions; Ct = context is supportive of DMC reduction.

STATEWIDE	Black	Latino	Asian
Complaints	S,M,V,Ct 4.12	S,M,V,Ct 2.53	(low RRIs)
Detentions	S,M,V, Ct 7.80	S,M,V, Ct 6.20	(low RRIs)
Delinquent Findings	S,M,V 4.43	S,M,V 2.97	(low RRIs)
Commitments	S,M,V,Ct 9.00	S,M,V,Ct 6.50	(low RRIs)

ESSEX	Black	Latino	Asian
Complaints	S, M, V, Ct 3.38	S, M, V, Ct 1.87	(low RRIs)
Detentions	S, M, V, Ct 4.60	S, M, V, Ct 3.40	(low RRIs)
Delinquent Findings	S, M, V 3.34	S, M, V 1.90	(low RRIs)
Commitments	S, M, V, Ct 13.00	S, M, V, Ct 12.00	S, Ct 4.38

SUFFOLK	Black	Latino	Asian
Complaints	S,M,V,Ct 3.29	S,M,V, Ct 1.48	(low RRIs)
Detentions	S,M,V, Ct 9.91	S,M,V, Ct 6.18	(low RRIs)
Delinquent Findings	S,M,V 4.48	S,M,V 2.00	(low RRIs)
Commitments	S,M,V, Ct 10.00	S,M,V, Ct 4.07	(low RRIs)

WORCESTER	Black	Latino	Asian
Complaints	S,M,V, Ct 3.54	S,M,V, Ct 2.83	(low RRIs)
Detentions	S,M,V, Ct 5.82	S,M,V, Ct 5.59	(low RRIs)
Delinquent Findings	S,M,V 4.31	S,M,V 3.57	(low RRIs)
Commitments	S,M,V, Ct 4.67	S,M,V, Ct 4.50	(low RRIs)

Phase II: Assessment/Diagnosis

In 2013 the EOTC completed a quantitative assessment study. The quantitative analysis considered a sample of individuals age 17 or younger arraigned in the juvenile court department in calendar year 2011. A review of the juvenile justice system was considered from the point of arraignment through initial disposition. Any post-disposition activity on the case was considered as well. Demographic information, prior history, and subsequent charges were available for the analysis. For those juveniles who were under the supervision of probation, risk/need scores are presented for all race/ethnic groups.

The multi-variate logistic regression analysis developed separate models for the adjudication and commitment points. Both decision points included both initial and later disposition information. **For both models, after controlling for factors including prior charges, offense seriousness, gender, age, and geographic origin there was no statistically significant effects found for any race/ethnic group.** Factors that were associated with these decisions were gender, age, offense seriousness level, case type, and prior charges.

DMC expert Michael Leiber and OJJDP DMC Coordinator, Andrea Coleman, raised concerns about the study. As a result the EOTC was asked to look at the data again and revise the study. At the time of writing this report, the data collection system used by the court is not functioning at the level needed to conduct an assessment study with more recent data. The court is aware of the need to enhance the functioning of its system as soon as possible for multiple reasons (including the ability to analyze race/ethnicity data and conduct a DMC assessment study). The DMC Reduction Specialist will be in regular contact with the EOTC in order to ensure that an assessment study begin as soon as the system has attained the capacity to complete an accurate and reliable study. Michael Leiber, or an alternative expert, will be enlisted for assistance once the data system is functioning adequately.

Note: Please see Objective 4 of the “DMC-reduction Plan for FFY 2015” section below for more information regarding plans to complete an assessment study.

Phase III: Intervention

Progress Made in FFY 2014

The goals for 2012-2014 fell into five main categories: (1) DMC Identification and Tracking, (2) DMC Assessment, (3) Build capacity of the DMC Subcommittee and EOPSS to address DMC, (4) Educate Juvenile Justice Stakeholders, Other Youth Serving Organizations and the Public about DMC, (5) Fund Projects Aimed at Reducing DMC and (6) Assess and Promote Diversion Programs in Massachusetts.

1. DMC Identification and Tracking

Activities	Progress in FFY 2014
Continue to work with the Court, Probation, DYS and the Massachusetts State Police	DYS data is consistently provided in a timely fashion thereby allowing calculation of detention and

Crime Reporting Unit to obtain data sets required by OJJDP.	<p>commitment RRI's. In addition, and particularly as part of the JDAI efforts, data on the risk level of youth detained is collected and reported. The risk level is captured with DYS's Detention Placement Instrument (DPI). This data provides insight into which courts are detaining a significant number of "low risk" youth and what the race/ethnicity of the youth are. Probation, also working closely with the JDAI efforts, provides relevant data.</p> <p>Generally, EOPSS staff is able to obtain race/ethnicity arrest data but reliable data for 2013 and 2014 has not yet been provided by the Massachusetts State Police. EOPSS will continue to request this data set.</p> <p>The most significant data challenge is due to problems with the Court's data system (MassCourts) which is not fully operational. The Chair of the JJAC, EOPSS staff and other stakeholders have informed the EOTC of the importance of reliably collecting, analyzing and producing data that can help identify DMC in the court process and information that can serve as the basis for an assessment study.</p>
Monitor progress of the MassCourts data collection system and continue to offer advice on what data fields should be collected, how race and ethnicity data should be collected and how and to whom data should be reported.	The EOTC has been informed of the JJAC's and EOPSS's concerns regarding all of these items. The JJAC and EOPSS are maintaining regular contact with the EOTC to get updates on the status of the MassCourts system.
Obtain a full list of the data fields that will be collected by MassCourts.	"Screen shots" of the data fields have been collected as well as the race and ethnicity options.

2. DMC Assessment

Activities	Progress in FFY 2014
Complete the quantitative portion of the DMC assessment study.	A quantitative DMC assessment study was completed by the EOTC in 2013. However, OJJDP and DMC expert Mike Leiber identified concerns with the study and have asked for completion of a new study. Unfortunately, the new study has been delayed due to problems with the MassCourts data system. It is expected that the system will be functioning adequately by the Fall 2015 which should allow for completion of a study within approximately one year.
Share completed reports with stakeholders and consider convening a conference or writing a white paper on the results of the study.	This will be done as soon as possible once the assessment study has been completed.

3. Build DMC Subcommittee and EOPSS capacity to address DMC

Activities	Progress in FFY 2014
Invite experts to speak to DMC subcommittee and/or the whole JJAC on DMC issues and other race issues such as racial profiling.	The Juvenile Justice Task Force on Racial Disparities presented their work and goals to the JJAC DMC subcommittee.
Recruit new JJAC DMC subcommittee members, including youth members.	When new members join the JJAC they are asked to choose one of the JJAC's subcommittees, including the DMC subcommittee. In addition, non-JJAC members who have an interest in DMC are allowed to sit on the subcommittee (as long as JJAC members compose at least 50% of the subcommittee).
Conduct youth and/or stakeholder focus groups.	Focus groups were not conducted. EOPSS staffing was low for most of the year due to the military leave of its Compliance Monitor. EOPSS staff and interested JJAC members will conduct focus groups during the upcoming year.

4. Educate Juvenile Justice Stakeholders, Other Youth Serving Organizations and the Public about DMC

Activities	Progress in FFY 2014
Implement trainings or a conference for any combination of the following: probation, police, schools, prosecutors, bar advocates, DYS, DCF and/or other groups working with at-risk youth. This may be accomplished in conjunction with JDAI efforts.	<p>Approximately 40 police officers from various cities in the Commonwealth participated in the Effective Police Interactions with Youth training conducted by police officers from Connecticut. The training addressed issues such as implicit bias and adolescent development. A training of trainers on the curriculum will occur in Summer/Fall 2015. Those trained will then conduct trainings for other officers throughout the Commonwealth.</p> <p>The annual Massachusetts JDAI conference provided a well-received and highly informative training on implicit bias by a nationally-recognized expert. All stakeholder groups were represented at the conference. In the upcoming year there will be implicit bias training specifically for judges in the Commonwealth.</p> <p>The Child Welfare and Juvenile Justice Leadership Forum applied for and was awarded technical assistance for reducing DMC from The Center for Children's Law and Policy (CCLP). Staff from CCLP conducted a presentation on racial and ethnic disparities for the Leadership Forum which consists of high level representatives from the EOTC, DYS, CPCS, DCF, the JJAC and other stakeholders.</p>

Educate and coordinate with urban school districts regarding DMC issues to ensure that school discipline policies do not adversely affect children of color.	With Juvenile Accountability Block Grant (JABG) funds awarded by the JJAC and EOPSS, the Boston Public Schools, with the Suffolk University Center for Restorative Justice, implemented trainings on restorative practices for its schools as alternatives to conventional school discipline and arrest practices. The majority of youth in the Boston Public Schools are youth of color.
Update the website and include educational materials.	The website currently includes useful links. More attention to - and wider use of - the website will occur in the upcoming year.
Build relationships with the Office of the Commissioner of Probation in order to better work with the probation department.	The Commissioner of Probation is a member of the JJAC. Also, juvenile probation officers are integral participants in the JDAI efforts. Through JDAI (which includes participation of the DMC Reduction Specialist and JJAC members) probation officers have been educated on DMC matters and have been part of efforts to better understand DMC and reduce it. For example, probation personnel have participated in the creation and validation of a risk assessment instrument which probation officers will soon use to assist judges in making objective, race-neutral bail decisions.
Educate and coordinate with the Boston Police Department and the Mass Bay Transit Authority regarding DMC issues to ensure all children benefit from pre-charging diversion decisions.	Approximately 40 police officers from various cities in the Commonwealth participated in the Effective Police Interactions with Youth training conducted by police officers from Connecticut. The training addresses issues such as implicit bias and adolescent development. While diversion practices are not a prominent and specific aspect of the training, a general goal of the training is to improve interactions between police and youth which includes de-escalating confrontations and using arrest as a last resort. A training of trainers on this curriculum will be conducted in the Summer/Fall 2015.
Educate and coordinate with Massachusetts District Attorney's Association (MDAA) to ensure that new prosecutors are trained about DMC prior to their handling any court cases, especially, but not limited to juvenile prosecutors.	This was not completed. It was an unrealistic goal. However, training prosecutors on implicit bias may be a realistic goal within the next three years. It will require cooperation from the district attorneys in the Commonwealth.

5. Fund Projects Aimed at Reducing DMC

Activities	Progress in FFY 2014
Fund programs specifically aimed at reducing DMC or that utilize proven methods for reducing DMC.	The projects that were implemented with Formula, JABG and Title V funds during the past year were not specifically "DMC projects" however most of them primarily served youth of color with the goal of preventing involvement with the juvenile justice system or intervening with those who are already involved to

	<p>provide services designed to prevent re-offending.</p> <p>For example the Detention Diversion Advocacy Project (DDAP) helped youth of color stay out of detention, return for their court dates and receive services with the assistance of a case-manager. The United Teen Equality Center (UTEC) worked with court-involved youth in a largely Latino neighborhood to provide counseling, educational and job readiness services. The Salvation Army provided a 12-week life skills curriculum for youth in the Dorchester neighborhood of Boston. And the Plymouth County District Attorney's Office worked with Coaching4Change, a non-profit, community organization to provide mentoring and workforce development for youth in Brockton, MA.</p>
Continue to incorporate DMC as criteria for evaluating any juvenile justice grant applicants.	DMC is a criteria that is consistently incorporated in all JJAC grant application review processes.

6. Assess and Promote Diversion Programs in Massachusetts especially in Minority Communities

Activities	Progress in FFY 2014
Map/assess what programs and data exists or is needed.	The JJAC and EOPSS hired ICF International to conduct a study of juvenile diversion practices in the Commonwealth. The study mapped the practices of each county's district attorney's office and the data that they collect. The study also consisted of a national literature review and provides recommendations as to best practices for juvenile diversion programs.
Educate and raise awareness amongst stakeholders regarding the need to expand the use of pre-arraignment diversion.	There is a process underway of working with the MDAA and key district attorney's regarding the Diversion Study, how and when it should be released and how it may be used to help support and guide enhanced diversion programs.
Write a "white paper" on the topic.	This has not been done. It may or may not occur depending on the views and concerns of the district attorneys.

Phase IV: Evaluation

No formal evaluation has been completed. Due to the penalty imposed on Massachusetts for non-compliance with the Separation core requirement of the JJDP Act, and reduced grant awards in general, funds for such an evaluation do not exist.

OUTPUT PERFORMANCE MEASURES

Number of program youth served

Number and percent of program staff trained

Number of hours of program staff training provided

Number of planning activities conducted
Number of assessment studies conducted
Number of data improvement projects implemented
Number of objective decision making tools developed

OUTCOME PERFORMANCE MEASURES

Number and percent of program youth who offend during the reporting period (short term)
Number and percent of program youth who offend during the reporting period (long term)
Number and percent of program youth who re-offend (short term)
Number and percent of program youth who re-offend (long term)
Substance abuse (short term)
Substance abuse (long term)
School attendance (short term)
School attendance (long term)
Family relationships (short term)
Family relationships (long term)
Antisocial behavior (short term)
Antisocial behavior (long term)

Phase V: Monitoring

The JJAC and EOPSS will continue their efforts to collect the necessary data to be able to comprehensively identify, assess, evaluate and monitor DMC in the Commonwealth. The DMC Reduction Specialist, the DMC subcommittee and the full JJAC are committed to obtaining all of the data sets required by OJJDP on an annual basis from the key stakeholders in addition to other sets of data that they may deem relevant. Other initiatives such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum work to collect and analyze the same and related data. Currently, the data system of the juvenile court is not functioning adequately to provide all of the court-level data sets. Efforts are underway to make the system fully operational. Assistance from the Massachusetts State Police Crime Reporting Unit (for arrest data) and DYS (for detention and commitment data) is expected to continue. DYS, in accordance with its JDAI effort, evaluates its detention data on a quarterly basis and looks at trends that include race/ethnicity.

It is expected that by early-Spring of each year the DMC Reduction Specialist will receive statewide and county-level juvenile race/ethnicity data covering the preceding calendar year from the Massachusetts State Police, the EOTC, the Office of the Commissioner of Probation and DYS. It is expected that all OJJDP DMC contact points – with the exception of diversion – will be captured in the data received from the above stakeholders for use in the next Three Year Plan. In Massachusetts, diversion practices vary from county to county as does the extent to which counties collect data on diversion. Efforts are underway to enhance diversion practices in the Commonwealth that will include recommendations to collect race/ethnicity data.

As data is received from the various stakeholders it will be reviewed and RRI calculations will be completed in a timely fashion. The OJJDP RRI spreadsheets will be updated annually. In addition to an analysis of statewide DMC data, county-level RRIs will be analyzed closely and in coordination with JDAI local data in order to determine the most suitable approaches to reducing DMC for each locality. However, the reduction in overall Formula Grant funds, in addition to

Massachusetts' penalty for non-compliance with the separation core requirement of the JJDP Act, will make it difficult to fund programs that may have an impact on DMC.

The DMC Reduction Specialist and the JJAC DMC Subcommittee will work together to monitor DMC reduction activities in the Commonwealth. This includes participation in -and coordination with - the JDAI effort and the Child Welfare and Juvenile Justice Leadership Forum. The DMC Reduction Specialist, as a member of the JDAI Governance Committee and the JDAI Data Subcommittee, has been provided access to detention data that illuminates DMC trends within DYS detention. The DMC Reduction Specialist has attended numerous trainings pertaining to DMC provided by OJJDP and the Haywood Burns Institute. Technical assistance has been provided by OJJDP and Dr. Michael Leiber via site visits, phone conferences and webinars and will continue as needed. Also, the DMC Reduction Specialist will focus on continuing to access, collect, and analyze data and he will attempt to enhance the JJAC's ability – and the efforts of other initiatives – to impact DMC in ways outlined below.

Monitoring Activities and Timeline

Activity	Timeline	Person Responsible
Receive state and county-level race/ethnicity data from the Massachusetts State Police, DYS, the Office of the Commissioner of Probation and the EOTC that covers all OJJDP DMC contact points (except diversion – see below)	Early-Spring (annually)	DMC Reduction Specialist
Input above data sets into the RRI spreadsheets	Spring (annually)	DMC Reduction Specialist/EOPSS Staff
Analyze the statewide and county-level RRI data and look for trends by comparing the data to previous years	Spring (annually)	DMC Reduction Specialist and JJAC DMC Subcommittee
Create a report and/or presentation regarding the DMC data, DMC trends and their implications for how to further DMC reduction within available means	Spring (annually)	DMC Reduction Specialist
Reach out to District Attorney offices to advocate for best practice diversion programs and to request race/ethnicity data on youth who have been diverted	Fall 2015 (ongoing as needed)	DMC Reduction Specialist/JJAC
As it is obtained, input the diversion data into the RRI spreadsheets and analyze it	Spring 2016 (ongoing)	DMC Reduction Specialist
Report on trends and other DMC matters in the JJAC Annual Report	Summer (annually)	DMC Reduction Specialist and JJAC DMC Subcommittee
Review quarterly programmatic and performance measure reports of grantees and evaluate the effectiveness/impact of the program towards reducing DMC; offer technical assistance as needed and able	Quarterly	DMC Reduction Specialist and Grant Manager
Monitor progress and results of the quantitative DMC Assessment Study revision	Fall 2015 – Fall 2016	DMC Reduction Specialist and OJJDP TA Provider

DMC-reduction Plan for FFY 2015

Goal: Assess, Monitor and Reduce DMC in Massachusetts with a primary focus on the “front end” of the juvenile justice system (police, schools, and diversion practices) and the following core activities:

5. Increase DMC-related training opportunities for Police;
6. Promote alternative values, policies and practices to the unnecessary use of suspension, expulsion, and arrests for school-based behavior problems;
7. Support the use of pre-arraignment diversion in urban jurisdictions and the collection of race and ethnicity data at the diversion contact point;
8. Facilitate the completion of a DMC Assessment Study.

Objectives:

1. Advocate for improved and unbiased interactions and relations between the police and youth of color:

- e) Incorporating local, state and national information, research and develop expertise on matters related to this objective (e.g. implicit bias, cultural proficiency, adolescent development, effective and equitable police practices, justice by geography, studies/findings/recommendations regarding police practices and problems, police-community relations, etc.) **June 2015 & ongoing. No cost.**
- f) Coordinate the Effective Police Interactions with Youth Training of Trainers. **August 2015. No cost.**
 - i. establish expectations during the TOT regarding participant responsibility for training officers in their departments and departments in their regions
 - ii. continuously encourage accountability of those trained in the TOT to regularly offer the training to officers in their regions.
- g) Conduct focus groups and/or surveys and/or forums to learn about and educate on this objective. **June 2016. No cost and/or SAG allocation.**
- h) Meet with Chiefs of Police of Major Cities to explore further collaboration. **November 2015. No costs.**

2. Advocate for fair, effective and unbiased school discipline and school-based arrest policies and practices:

- f) Incorporating local, state and national information, research and develop expertise on matters related to this objective (study issues such as: how to build a positive school culture and mutual trust between students, staff and SROs; fair discipline procedures and unbiased discipline practices; studies/findings/recommendations regarding school discipline and referral practices and problems, particularly as they relate to racial/ethnic disparities, etc.). **June 2015 & ongoing. No costs.**
- g) Identify districts and schools that have the highest school exclusion and school-based arrest rates. **October 2015. No cost.**
- h) Establish connections with school personnel in key urban districts, assess their current practices and degree of need for reform, and encourage them to develop more positive, fair and effective policies and practices based on the national literature and what is working in Massachusetts school districts such as Boston. **April 2016. No cost.**

- i) Review the impact of the Boston Public Schools/Suffolk University JABG project and assess the usefulness of its model for reducing disparities. **August 2015. No cost.**
- j) Advocate for expanding the Boston Public Schools model of restorative practices in other jurisdictions if it is deemed effective. **October 2015 & ongoing. No cost.**

3. Maximize the use of pre-arraignment diversion in urban jurisdictions:

- g) Release the Diversion Study, raise awareness of its recommendations and encourage adoption of its recommendations in each jurisdiction. **October 2015. No cost and/or SAG allocation.**
- h) Encourage the collection of race/ethnicity data by DA offices in order to identify racial disparities at the diversion contact point in the future. **October 2015. No cost.**
- i) Coordinate with EOHHS and DCF regarding the use of the Family Resource Centers as a diversion and services resource. **October 2015. No cost.**
- j) Encourage the development of formal, systemic relationships between the Family Resource Centers and police and DA offices in order to facilitate and maximize the use of diversion in each jurisdiction (particularly in urban areas). **December 2015. No cost.**
- k) Assess the development and effectiveness of the Suffolk County diversion project and its potential for replication. **May 2016. No cost and/or SAG allocation.**
- l) If assessed to be effective, collaborate with the diversion project in Suffolk County to promote its practices in other counties. **September 2016. No cost.**

8. Complete a New DMC Assessment Study:

- g) Conference with Court Officials and a national DMC expert as needed to create and update a work plan. **October 2015. No cost.**
- h) Clarify information required by OJJDP to satisfy their assessment study requirements. **September 2015. No cost.**
- i) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to have a valid and reliable dataset. **December 2015. No cost.**
- j) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to complete a DMC analysis of the data. **May 2016. No cost.**
- k) Facilitate EOPSS, the JJAC and/or the DMC expert's consultation with the Court as needed to write the DMC Assessment Study. **July 2016. No cost.**
- l) Share the DMC Assessment Study with stakeholders and promote awareness of its findings and recommendations. **October 2016. No cost.**

9. Advocate with the Executive Office of the Trial Court for reliable data collection (including race/ethnicity data) and regular data sharing and reporting with stakeholders and the public.

- b) The JJAC Chair and the DMC Reduction Specialist will advocate with the EOTC about data issues, including concerns about the functioning of MassCourts, concerns about the reliability and consistency of race and ethnicity data collection, and the request of stakeholders to have data shared and made accessible to the public on a regular basis. **September 2015 & ongoing. No cost.**

10. Coordinate and collaborate with other agencies and groups working on DMC issues, such as JDAI and the Child Welfare and Juvenile Justice Leadership Forum. Ongoing. No cost.

11. Assess the potential value of a Juvenile Bail Statute based on validated J-PAST factors.

- a) Get feedback from key stakeholders (including those who constitute the Child Welfare and Juvenile Justice Leadership Forum) regarding their thoughts on the potential value of a Juvenile Bail Statute based on the validated J-PAST factors, including concerns about potential unintended consequences. **January 2016. No cost.**

F. ADDITIONAL REQUIREMENTS

1. SAG Membership

In Massachusetts, the SAG is called the Juvenile Justice Advisory Committee (JJAC). There is currently an effort to recruit youth members as required by OJJDP as well as other interested and qualified candidates. Below is a table of current members. Currently the JJAC has 6 potential qualified candidates for appointment, 2 of which are youth members. The EOPSS staff is working with the executive staff of EOPSS and the Governor's Office to establish an appointment plan for the potential candidates.

	Name/ Email	Represents	F/T Govt.	Youth Member	Date of Appointment⁴³	Residence
1.	<i>Robert Gittens, Chair</i> r.gittens@neu.edu	D			8/4/03	Dorchester, MA
2.	<i>Cecely Reardon</i> cecely.a.reardon@MassMail.State.MA.US	C	X		8/4/03	Jamaica Plain
3.	<i>Wes Cotter</i> wcotter@key.org	D			8/4/03	Worcester, MA
4.	<i>Ed Dolan</i> edward.dolan@jud.state.ma.us	B	X		8/4/03	Peabody, MA

5.	<i>Glenn Daly</i> glenn.daly@state.ma.us	C	X		8/4/03	Holliston, MA
6.	<i>Robert Kinscherff</i> robert_kinscherff@mspp.edu	C	X		8/4/03	Dorchester Park, MA
7.	<i>Jeff Butts</i> jeffhbutts@gmail.com	C,D			09/26/11	Boston, MA
8.	<i>Natalie Petit</i> npetit2008@curry.edu	E	X	X	9/06/11	Lowell, MA
9.	<i>Peter Forbes</i> Peter.J.Forbes@MassMail.State.MA.US	B	X		7/28/11	Braintree, MA
10.	<i>Austin Lessin</i> ailessin@gmail.com	E		X	8/18/14	Sudbury, MA
11.	<i>Ken Smith</i> ksmith@ybboston.org	D			5/25/12	Roxbury, MA
12.	<i>Adam Foss</i> adamjohnfoss@gmail.com	B	X		6/14/13	Dorchester, MA
13.	<i>Kim Larson</i> kimberly.larson@umassmed.edu	C			6/14/13	Worcester, MA
14.	<i>Reynolds Graves</i> reynolds.graves@cityofboston.gov	E			6/14/13	Boston, MA
15.	<i>Mark Booher</i> mark.boohar@verizon.net	E			3/24/14	Westborough, MA

2. Staff of the JJDP Act Formula Grants Program

Office of Grants and Research Executive Office of Public Safety & Security



EOPSS OGR is the State Administering Agency for federal grant funds from the U.S. Dept. of Justice, the U.S. Department of Homeland Security/Federal Emergency Management Agency, and the National Highway Traffic Safety Administration. The Justice and Prevention Division administers the funds from OJJDP, as well as those from the Bureau of Justice Assistance and the Office of Violence Against Women. Additionally the unit is responsible for administering a few state-funded initiatives such as the Shannon Community Safety Initiative for youth violence prevention (based on OJJDP's comprehensive gang model).

OGR's Research and Policy and Analysis Division serves as the Commonwealth's Statistical Analysis Center with support from the Bureau of Justice Statistics' State Justice Statistics Program for Statistical Analysis Centers. OGR's Highway Safety Division has administered OJJDP's Enforcement of Underage Drinking Laws funding when available.

Justice and Prevention Division

There are currently five directors under the Executive Director in the Office of Grants and Research, one of whom is the Director of the Justice and Prevention Division, which is where the juvenile programs are located. The juvenile team consists of the Juvenile Justice Specialist/DMC Reduction Specialist, the Compliance Monitor and the Juvenile Justice Program Coordinator.

Juvenile Justice Team funded with Formula Grant Funds

Juvenile Justice Specialist/DMC Reduction Specialist – Andrew Polk

Andrew Polk is the Juvenile Justice Team Lead. All of his time is spent on the Formula Grant Program. He carries out the duties of the JJ Specialist, DMC Reduction Specialist and assists with compliance monitoring. Activities include: various duties associated with staffing the JJAC and implementing the Three Year Plan, implementation of the OJJDP DMC Reduction Cycle,

and compliance activities such as compliance site visits and facilitation of efforts to regain compliance with the Separation core requirement of the JJDP ACT. His position is funded 80% from the Formula Grant (from combinations of funds from the Administration, DMC, and Separation program areas). 20% of his salary consists of state match.

Compliance Monitor – Ednei Furtado

Ednei Furtado spends 100% of his time on compliance-related activities such as: data collection, site visits, work related to regaining compliance with the Separation core requirement of the JJDP ACT, and technical assistance with facilities in the monitoring universe. His position is funded 100% from the Formula Grant.

Juvenile Justice Program Coordinator – Erin Heaney

Erin Heaney spends 50% of her time on juvenile justice matters such as: grants management and assistance with staffing the JJAC. 35% of her salary is paid for with Formula Grant funds and an additional 15% is paid for with the state match for the Formula Grant.

Assistant Budget Director – Brenda Barton

Brenda Barton spends approximately 10% of her time on the OJJDP juvenile justice grant programs. Her activities cover various fiscal duties related to managing the federal awards. 5% of her salary is paid for with the Formula Grant and 5% is paid for with the state match for the Formula Grant.

Fiscal Specialist – Jennifer Keating

Jennifer Keating spends approximately 15% of her time on fiscal activities related to processing reimbursement requests from juvenile justice grants sub-recipients. 5% of her salary is paid for with Formula Grant funds and 5% is paid for with the state match for the Formula Grant.

Programs Administered by the EOPSS OGR Justice and Prevention Division

Below is a list of the programs that fall under the purview of the Justice and Prevention Division.

Youth Programs

- Juvenile Justice and Delinquency Prevention Act Formula Grant
- Juvenile Accountability Block Grant

Violence Against Women

- Sexual Assault Evidence Collection Kits (state-funding)
- Violence Against Women Act STOP

Law Enforcement and Crime Prevention

- Bulletproof Vest Program (state match for federal bulletproof vest partnership)
- Byrne Justice Assistance Grants
- Municipal Public Safety Staffing (state-funded)
- Residential Substance Abuse Treatment
- Shannon Community Safety Initiative (state-funded and co-administered with the Research and Policy Analysis Division)

Other

- John R. Justice Program